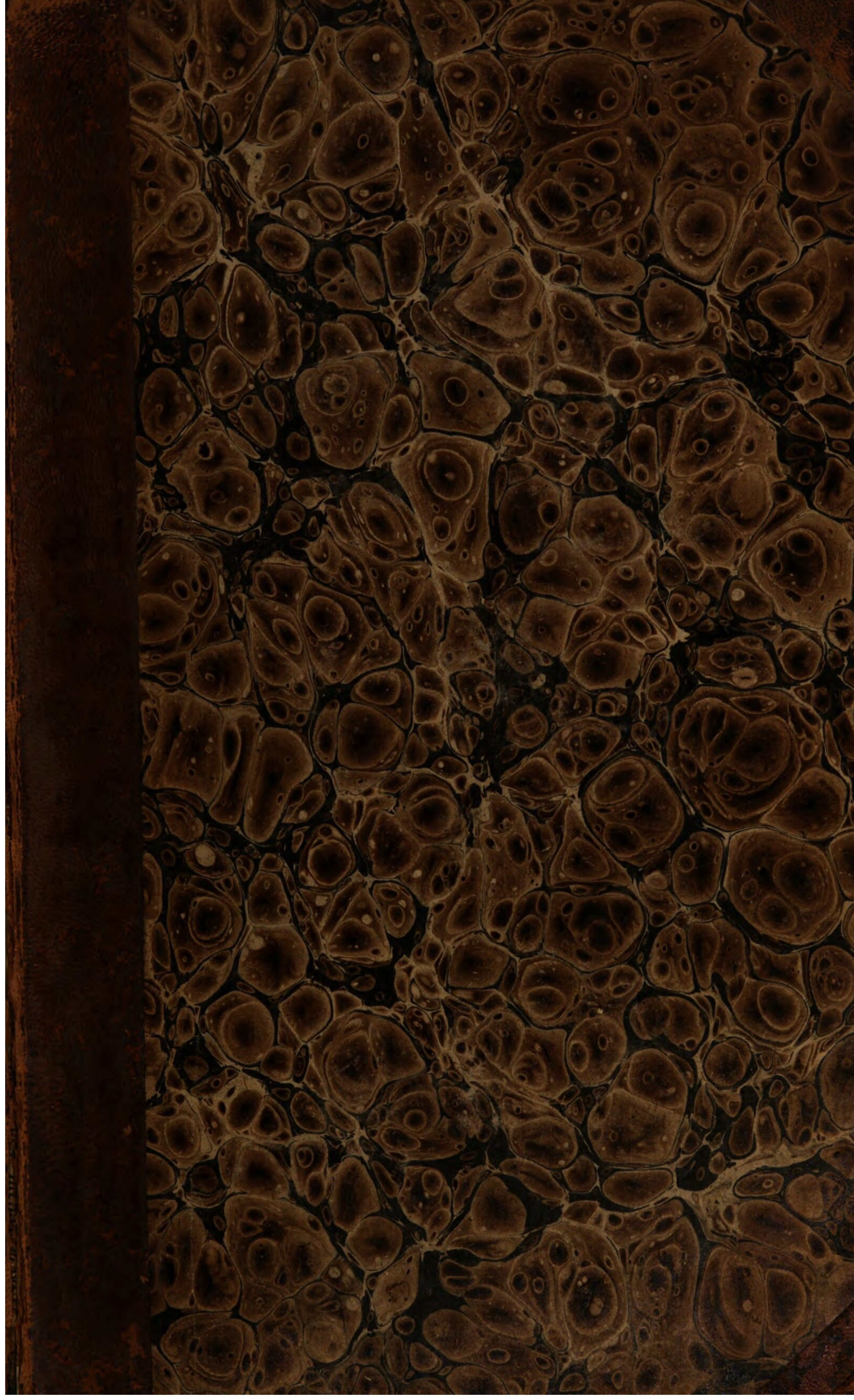




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THE

AMERICAN

REVIEW

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BY DAVID HARRIS, M.D.

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HISTORY
OF THE
UNITED STATES,

FROM THEIR
FIRST SETTLEMENT AS ENGLISH COLONIES,
IN 1607, TO THE YEAR 1808 ;

OR,
THE THIRTY-THIRD OF THEIR SOVEREIGNTY AND
INDEPENDENCE.

BY DAVID RAMSAY, M. D.

CONTINUED TO THE TREATY OF GHENT,
BY S. S. SMITH, D. D. AND L. L. D.
AND OTHER LITERARY GENTLEMEN.

IN THREE VOLUMES.

VOL. III.

SECOND EDITION, REVISED AND CORRECTED.

PHILADELPHIA :
PUBLISHED BY M. CAREY AND SON,
NO. 126, CHESNUT STREET :
FOR THE SOLE BENEFIT OF THE HEIRS OF THE AUTHOR.

.....
May 1st, 1818.



HISTORY

OF THE

WESTERN WORLD

FROM

FIRST SETTLEMENTS TO PRESENT TIME

IN TWO VOLUMES

VOL. I

THE DISCOVERY OF AMERICA

AND

THE EARLY HISTORY

OF THE CONTINENT

AND THE ISLANDS

OF THE WEST INDIES

BY

JOHN H. COLEMAN

OF THE

UNIVERSITY OF CALIFORNIA

AND

OF THE UNIVERSITY OF MICHIGAN

NEW YORK

1894

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CONTENTS

OF VOLUME THE THIRD.

	Page.
CHAPTER XXVI.	
<i>The State of Parties ; The Advantages and Disadvantages of the Revolution ; Its Influence on the minds and morals of the Citizens.</i>	5
CHAPTER XXIX.*	
<i>The discharge of the American army ; The evacuation of New York ; The resignation of General Washington.</i>	19
CHAPTER XXX.	
<i>Civil History of the United States, from 1783 to 1789.</i>	29
CHAPTER XXXI.	
<i>The Constitution of the United States.</i>	40
CHAPTER XXXII.	
<i>Domestic Relations ; Public Debt ; Funding System ; Bank of the United States ; Origin of Parties ; Insurrection in Pennsylvania ; Its suppression.</i>	65
CHAPTER XXXIII.	
<i>Indian and Spanish relations ; Defeat of St. Clair ; Wayne's victory ; Treaty with Spain.</i>	80
CHAPTER XXXIV.	
<i>French relations ; Genet ; Fauchet ; Adet ; Treaty of commerce.</i>	92
CHAPTER XXXV.	
<i>British relations ; Jay's treaty ; Attack on the Chesapeake ; Right of search and impressment ; Orders in Council, &c.</i>	103
CHAPTER XXXVI.	
<i>Relations with the Barbary States ; War with Tripoli ; Capture of Derne ; Treaty, &c.</i>	118
CHAPTER XXXVII.	
<i>Mr. Jefferson elected president ; Burr vice-president ; Duel between Hamilton and Burr ; Burr's conspiracy ; Apprehension ; Trial ; Acquittal.</i>	130

* This ought to have been Chapter XXVII.

CHAPTER XXXVIII.

- Foreign relations ; Proceedings of Great Britain and France on the subject of Neutrals ; Mission of Mr. Erskine from the former ; His recall ; Appointment of Mr. Jackson ; His dismissal ; Succeeded by Mr. Foster ; Discussions relative to the affair of the President and Little Belt ; Promised reparation for the attack on the Chesapeake.* 139

CHAPTER XXXIX.

- Foreign relations continued.* 148

CHAPTER XL.

- Political clamours in New England ; Henry's mission ; Disturbances at Baltimore and Savannah ; The battle of Tippecanoe, &c.* 173

CHAPTER XLI.

- State of the nation at the period of the declaration of war ; Its revenue ; Its means of warfare ; Of the public spirit.* 190

CHAPTER XLII.

- Account of the Indian tribes on the north-western frontier of the United States ; Invasion of Canada by general Hull ; Surrender of Mackinaw ; Evacuation of Canada ; Skirmish at Brownstown ; Battle of Maguaga ; Capture of Fort Chicago ; Surrender of Detroit and of the north-western army.* 200

CHAPTER XLIII.

- Events on the north-western frontier, continued ; Public spirit of Kentucky and Ohio ; General Harrison ; Siege of fort Wayne ; Expeditions of general Tupper ; Defence of fort Harrison ; Expeditions of general Hopkins ; of colonel Russell ; of colonel Campbell.* 212

CHAPTER XLIV.

- Affairs on the Ontario frontier ; Armistice proposed and rejected ; Northern army ; Attack on Queenstown ; Operations of general Smyth ; The army goes into barracks ; Events on the Lakes.* 227

CHAPTER XLV.

- Naval events ; Cruise of commodore Rodgers ; of captain Porter ; Escape of the Constitution ; Capture of the Guerriere ; of the Frolic ; of the Macedonian ; of the Java.* 239

CHAPTER XLVI.

Meeting of Congress ; Proposals for an armistice ; Militia of the Eastern states ; Remission of forfeited bonds ; Bill relating to seamen ; Increase of the army ; of the navy ; Treasury report ; Presidential election ; Appropriations for the year 1813 ; Dissolution of Congress. 251

CHAPTER XLVII.

Operations on the north-western frontier ; Capture of Frenchtown ; Battle and massacre at Raisin ; Siege of fort Meigs ; Affair of colonel Dudley ; The siege raised. 263

CHAPTER XLVIII.

Ontario frontier ; Partisan warfare ; Capture of Ogdensburg ; of York ; of fort George ; Affair at Stoney Creek ; of the Beaver Dams ; Attack on Sackett's Harbour ; Skirmishing ; Cruise of commodore Chauncey. 281

CHAPTER XLIX.

War on the coast and on the ocean ; Marauding expeditions of the British squadron ; Attack on Craney Island ; on Hampton ; Capture of the Peacock ; of the Chesapeake ; of the Argus ; of the Boxer ; Cruise of commodore Rodgers ; Engagements of privateers ; Blockade of the squadron under commodore Decatur. 296

CHAPTER. L.

North-western frontier ; Second attempt on fort Meigs ; Defence of Sandusky ; Battle on lake Erie, and capture of the enemy's squadron ; Battle of the Thames ; Death of Tecumseh ; General Harrison's army arrives at Buffalo. 315

CHAPTER LI.

General Wilkinson takes command of the northern army ; Plan of operations ; Descends the St. Lawrence ; Battle of Williamsburg ; Failure of the expedition : Cruise of commodore Chauncey ; Burning of Newark ; British retaliation. 329

CHAPTER LII.

Meeting of the thirteenth congress ; Election of Speaker ; Internal taxes ; Other proceedings ; Second session ; Embargo ; Repeal of the restrictive system ; Increase of the Army and navy ; State of the treasury ; Loan of twenty-

	Page.
<i>five millions ; Inquiry into the failure of the campaign ; Mission to Gottenburg ; Adjournment of congress.</i>	339
CHAPTER LIII.	
<i>Operations of the war with the southern Indians ; Engagement near the Lachway towns ; Massacre at fort Mimms ; Expeditions of generals Jackson, Cocke, and Coffee ; Termination of the war.</i>	350
CHAPTER LIV.	
<i>Northern frontier ; Affair of La Cole ; Affairs on lake Ontario ; Warfare on its shores ; Operations of the left division ; Capture of fort Erie ; Battles of Chippewa and Bridgewater ; Siege of fort Erie ; Sortie ; The siege raised ; Occurrences in the north-west.</i>	366
CHAPTER LV.	
<i>Naval events ; Cruise of commodore Rodgers ; Of captain Porter ; Capture of the Essex ; Of the Epervier ; Of the Reindeer ; Of the Avon ; Constitution captures two sloops of war ; Frigate President taken by a British squadron ; Capture of the Penguin.</i>	383
CHAPTER LVI.	
<i>War on the coast ; Capture of Eastport ; Defence of Stonington ; Capture of Castine ; Destruction of the John Adams ; Incursions on the shores of the Chesapeake ; Capture of Washington ; The enemy repulsed at Baltimore.</i>	394
CHAPTER LVII.	
<i>British plan of operations ; Attack on Plattsburg ; Capture of the British squadron on lake Champlain ; Retreat from Plattsburg ; Affairs to the south ; Enemy repulsed at Mobile ; Capture of Pensacola ; Invasion of Louisiana ; Battles of New Orleans ; Capture of fort Bowyer.</i>	411
CHAPTER LVIII.	
<i>Negotiation at Ghent ; Demands of the British commissioners ; Meeting of congress ; Public sentiment ; Convention at Hartford ; Congressional proceedings ; Treaty of peace ; Conclusion.</i>	428

APPENDIX.

	Page.
No. I.	
<i>An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.</i>	449
No. II.	
<i>An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.</i>	458
No. III.	
<i>An act supplementary to an act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."</i>	460
No. IV.	
<i>Berlin Imperial Decree of the 21st of November, 1806.</i>	462
No. V.	
<i>British Order in Council of the 7th of January, 1807.</i>	464
No. VI.	
<i>British Order in Council of the 11th of November, 1807.</i>	466
No. VII.	
<i>Milan Imperial Decree of the 17th of December, 1807.</i>	470
No. VIII.	
<i>British Order in Council of the 26th of April, 1809.</i>	472
No. IX.	
<i>British Orders in Council revoked, June 23, 1812.</i>	474
No. X.	
<i>Treaty of Peace and Amity between his Britannic majesty and the United States of America.</i>	477

The additions made to this work, commence with the thirty-sixth chapter, page 118, of this volume. All the preceding part was written by the revered Dr. Ramsay.

N. B. There is an error in enumerating the chapters, after the twenty-sixth.—The succeeding one, through inadvertence, is marked the twenty-ninth.

HISTORY

OF THE

UNITED STATES.

CHAPTER XXVI.

The State of Parties—The Advantages and Disadvantages of the Revolution—Its Influence on the minds and morals of the Citizens.

PREVIOUS to the American revolution, the inhabitants of the British colonies were universally loyal. That three millions of such subjects should break through all former attachments, and unanimously adopt new ones, could not reasonably be expected. The revolution had its enemies, as well as its friends, in every period of the war. Country, religion, local policy, as well as private views, operated in disposing the inhabitants to take different sides. The New England provinces, being mostly settled by one sort of people, were nearly of one sentiment. The influence of placemen in Boston, together with the connexions which they had formed by marriages, had attached sundry influential characters, in that capital, to the British interest; but these were but as the dust in the balance, when compared with the numerous independent whig yeomanry of the country. The same and other causes produced a large number in New York, who were attached to royal government. That city had long been the head quarters of the British army in America; and many intermarriages, and other connexions, had been made between British officers and some of their first families. The practice of entailing estates had prevailed in New York to a much greater extent, than in any of the other provinces. The governors thereof had long been in the habit of indulging their favourites with extravagant grants of land. This had introduced the dis-

inction between landlord and tenant. There was, therefore, in New York, an aristocratic party, respectable for numbers, wealth, and influence, who had much to fear from independence. The city was also divided into parties, by the influence of two ancient and numerous families, the Livingstons and Delanceys. These, having been long accustomed to oppose each other at elections, could rarely be brought to unite in any political measures. In this controversy, one almost universally took part with America, and the other with Great Britain.

The Irish, in America, with a few exceptions, were attached to independence. They had fled from oppression in their native country, and could not brook the idea that it should follow them. Their national prepossessions, in favour of liberty, were strengthened by their religious opinions. They were generally Presbyterians; and people of that denomination, for reasons hereafter to be explained, were mostly whigs. The Scotch, on the other hand, though they had formerly sacrificed much to liberty, in their own country, were generally disposed to support the claims of Great Britain. Their nation, for some years past, had experienced a large proportion of royal favour. A very absurd association was made by many, between the cause of John Wilkes and the cause of America. The former had rendered himself so universally odious to the Scotch, that many of them were prejudiced against a cause, which was so ridiculously associated with that of a man, who had grossly insulted their whole nation. The illiberal reflections cast by some Americans on the whole body of the Scotch, as favourers of arbitrary power, restrained high-spirited individuals of that nation from joining a people who suspected their love of liberty. Such of them, as adhered to the cause of independence, were steady in their attachment. The army and the congress ranked among their best officers, and most valuable members, some individuals of that nation.

Such of the Germans, in America, as possessed the means of information, were generally determined whigs: but many of them were too little informed, to be able to choose their side on proper ground. They, especially such of them as resided

in the interior country, were, from their not understanding the English language, far behind most of the other inhabitants, in a knowledge of the merits of the dispute.

Their disaffection was rather passive than active. A considerable part of it arose from principles of religion; for some of their sects deny the lawfulness of war. No people have prospered more, in America, than the Germans. None have surpassed, and but few have equalled them, in industry and other republican virtues.

The great body of tories, in the southern states, were among the settlers on their western frontier. Many of these were ignorant or disorderly persons, who had fled from the old settlements, to avoid the restraints of civil government.

Religion, also, divided the inhabitants of America. The Presbyterians and Independents were, almost universally, attached to the measures of Congress. Their religious societies are governed on a republican plan. From independence they had much to hope; but from Great Britain, if finally successful, they had reason to fear the establishment of a church hierarchy.

Most of the episcopal ministers, of the northern provinces, were pensioners on the bounty of the British government. The greatest part of their clergy, and many of their laity in these provinces, were, therefore, disposed to support a connexion with Great Britain. The Episcopal clergy, in the southern provinces, being less under this bias, were often warm whigs. Some of them, foreseeing the downfall of religious establishments, from the success of the Americans, were less active: but, in general, where their church was able to support itself, their clergy and laity zealously espoused the cause of independence. Great pains were taken to persuade them, that those, who had been called Dissenters, were aiming to abolish the episcopal establishment, to make way for their own exaltation; but the good sense of the people restrained them from giving credit to the unfounded suggestion. Religious controversy was happily kept out of view. The well-informed of all denominations were convinced, that the contest was for their civil rights, and, therefore, did not suffer any other considerations to interfere, or disturb their union.

The Quakers, with a few exceptions, were averse to independence. In Pennsylvania, they were numerous, and had power in their hands. Revolutions in government are rarely patronised by any body of men, who foresee that a diminution of their own importance is likely to result from the change. Quakers, from religious principles, were averse to war; and therefore could not be friendly to a revolution, which could only be effected by the sword. Several individuals separated from them on account of their principles, and, following the impulse of their inclinations, joined their countrymen in arms. The services America received from two of their society, generals Greene and Mifflin, made some amends for the embarrassment, which the disaffection of the great body of their people occasioned, to the exertions of the active friends of independence.

The age and temperament of individuals had often an influence in fixing their political character. Old men were seldom warm whigs. They could not relish the great changes, which were daily taking place. Attached to ancient forms and habits, they could not readily accommodate themselves to new systems. Few of the very rich were active in forwarding the revolution. This was remarkably the case in the eastern and middle states; but the reverse took place in the southern extreme of the confederacy. There were, in no part of America, more determined whigs, than the opulent slaveholders in Virginia, the Carolinas, and Georgia. The active and spirited part of the community, who felt themselves possessed of talents, that would raise them to eminence in a free government, longed for the establishment of independent constitutions: but those who were in possession or expectation of royal favour, or of promotion from Great Britain, wished that the connexion, between the parent state and the colonies, might be preserved. The young, the ardent, the ambitious, and the enterprising, were mostly whigs; but the phlegmatic, the timid, the interested, and those who wanted decision, were, in general, favourers of Great Britain, or, at most, only lukewarm inactive friends of independence. The whigs received a great reinforcement from the operation of continental mo-

ney. In the years 1775, 1776, and in the first months of 1777, while the bills of congress were in good credit, the effects of them were the same, as if a foreign power had made the United States a present of twenty millions of silver dollars. The circulation of so large a sum of money, and the employment given to great numbers, in providing for the American army, increased the numbers, and invigorated the zeal of the friends to the revolution. On the same principles, the American war was patronised in England, by the many contractors and agents for transporting and supplying the British army. In both cases, the inconveniences of interrupted commerce were lessened, by the employment which war and a domestic circulation of money substituted in its room. The convulsions of war afforded excellent shelter for desperate debtors. The spirit of the times revolted against dragging to jails, for debt, men who were active and zealous in defending their country. And on the other hand, those who owed more than they were worth, by going within the British lines, and giving themselves the merit of suffering on the score of loyalty, not only put their creditors to defiance, but sometimes obtained promotion, or other special marks of royal favour.

The American revolution, on the one hand, gave birth to great vices ; but, on the other, it called forth many virtues, and gave occasion for the display of abilities which, but for that event, would have been lost to the world. When the war began, the Americans were a mass of husbandmen, merchants, mechanics, and fishermen ; but the necessities of the country gave a spring to the active powers of the inhabitants, and set them on thinking, speaking, and acting, in a line far beyond that to which they had been accustomed. The difference between nations is not so much owing to nature, as to education and circumstances. While the Americans were guided by the leading strings of the mother country, they had no scope nor encouragement for exertion. All the departments of government were established and executed for them ; but not by them. In the years 1775 and 1776, the country was suddenly thrown into a situation, that needed the abilities of all its sons. These

generally took their places, each according to the bent of his inclination. As they severally pursued their objects with ardour, a vast expansion of the human mind speedily followed. This displayed itself in a variety of ways. It was found, that the talents for great stations did not differ in kind, but only in degree, from those which were necessary for the proper discharge of the ordinary business of civil society. In the bustle that was occasioned by the war, few instances could be produced of any persons who made a figure, or who rendered essential services, but from among those, who had given specimens of similar talents in their respective professions. Those, who, from indolence or dissipation, had been of little service to the community in time of peace, were found equally unserviceable in war. A few young men were exceptions to this general rule. Some of these, who had indulged in youthful follies, broke off from their vicious courses, and, on the pressing call of their country, became useful servants of the public: but the great bulk of those, who were the active instruments of carrying on the revolution, were self-made, industrious men. Those, who, by their own exertions, had established, or laid a foundation for establishing personal independence, were most generally trusted, and most successfully employed, in establishing that of their country. In these times of action, classical education was found of less service than good natural parts, guided by common sense, and sound judgment.

Several names of individuals could be mentioned, who, without the knowledge of any other language than their mother tongue, wrote, not only accurately, but elegantly, on public business. It seemed as if the war not only required, but created talents. Men, whose minds were warmed with the love of liberty, and whose abilities were improved by daily exercise, and sharpened with a laudable ambition to serve their distressed country, spoke, wrote, and acted, with an energy far surpassing all expectations, which could be reasonably founded on their previous acquirements.

The Americans knew but little of one another, previously to the revolution. Trade and business had made the inhabitants of the seaports acquainted with each other; but the bulk of

the people, in the interior country, were unacquainted with their fellow citizens. A continental army, and congress, composed of men from all the states, by freely mixing together, were assimilated into one mass. Individuals of both, mingling with the citizens, disseminated principles of union among them. Local prejudices abated. By frequent collision, asperities were worn off; and a foundation was laid for the establishment of a nation, out of discordant materials. Intermarriages between men and women, of different states, were much more common than before the war, and became an additional cement to the union. Unreasonable jealousies had existed between the inhabitants of the eastern and of the southern states; but on becoming better acquainted with each other, these in a great measure subsided. A wiser policy prevailed. Men of liberal minds led the way, in discouraging local distinctions; and the great body of the people, as soon as reason got the better of prejudice, found that their best interests would be most effectually promoted, by such practices and sentiments as were favourable to union. Religious bigotry had broken in upon the peace of the various sects, before the American war. This was kept up by partial establishments, and by a dread that the church of England, through the power of the mother country, would be made to triumph over all other denominations. These apprehensions were done away by the revolution. The different sects, having nothing to fear from each other, dismissed all religious controversy. A proposal for introducing bishops into America, before the war, had kindled a flame among the dissenters; but the revolution was no sooner accomplished, than a scheme for that purpose was perfected, with the consent and approbation of all those sects, who had previously opposed it.

Though schools and colleges were generally shut up during the war, yet many of the arts and sciences were promoted by it. The geography of the United States, before the revolution, was but little known; but the marches of armies, and the operations of war, gave birth to many geographical inquiries and discoveries, which otherwise would not have been made. A passionate fondness for studies of this kind, and

the growing importance of the country, excited one of its sons, the Reverend Dr. Morse, to travel through every state of the Union, and amass a fund of topographical knowledge, far exceeding any thing heretofore communicated to the public. The necessities of the states led to the study of tactics, fortification, gunnery, and a variety of other arts connected with war, and diffused a knowledge of them among a peaceable people, who would otherwise have had no inducement to study them.

Surgery was one of the arts which was promoted by the war. From the want of hospitals and other aids, the medical men of America had few opportunities of perfecting themselves in this art, the thorough knowledge of which can only be acquired, by practice and observation. The melancholy events of battles gave the American students an opportunity of seeing and learning more in one day, than they could have acquired in years of peace. It was in the hospitals of the United States, that Dr. Rush first discovered the method of curing the lock jaw, by bark and wine, added to other invigorating remedies; which has since been adopted with success in Europe, as well as in the United States.

The science of government has been more generally diffused among the Americans, by means of the revolution. The policy of Great Britain, in throwing them out of her protection, induced a necessity of establishing independent constitutions. This led to reading and reasoning on the subject. The many errors, at first committed by inexperienced statesmen, have been a practical comment on the folly of unbalanced constitutions, and injudicious laws.

When Great Britain first began her encroachments on the colonies, there were few natives of America, who had distinguished themselves as speakers or writers; but the controversy between the two countries multiplied their number.

The stamp act, which was to have taken place, in 1765, employed the pens and tongues of many of the colonists, and, by repeated exercise, improved their ability to serve their country. The duties imposed, in 1767, called forth the pen of John Dickinson, who, in a series of letters, signed a Penn-

sylvania Farmer, may be said to have sown the seeds of the revolution. For, being universally read by the colonists, they universally enlightened them, on the dangerous consequences, likely to result from their being taxed by the parliament of Great Britain.

In establishing American independence, the pen and the press had merit equal to that of the sword. As the war was the people's war, and was carried on without funds, the exertions of the army would have been insufficient to effect the revolution, unless the great body of the people had been prepared for it, and afterwards kept in a constant disposition to oppose Great Britain. To rouse and unite the inhabitants, and to persuade them to patience for several years, under present sufferings, with the hope of obtaining remote advantages for their posterity, was a work of difficulty. This was effected, in a great measure, by the tongues and pens of the well-informed citizens; and on it depended the success of military operations.

To enumerate the names of all those, who were successful labourers in this arduous business, is impossible. The following list contains, in nearly alphabetical order, the names of the most distinguished writers, in favour of the rights of America.

John Adams, and Samuel Adams, of Boston; Richard Bland, of Virginia; John Dickinson, of Pennsylvania; Daniel Dulany, of Annapolis; William Henry Drayton, of South Carolina; Dr. Franklin, of Philadelphia; John Jay, and Alexander Hamilton, of New York; Thomas Jefferson, and Arthur Lee, of Virginia; Jonathan Lyman, of Connecticut; Governor Livingston, of New Jersey; Dr. Mayhew, and James Otis, of Boston; Thomas Paine, Dr. Rush, Charles Thompson, and James Wilson, of Philadelphia; William Tennent, of South Carolina; Josiah Quincy, and Dr. Warren, of Boston. These and many others laboured in enlightening their countrymen, on the subject of their political interests, and in animating them to a proper line of conduct, in defence of their liberties. To these individuals may be added, the great body of the clergy, especially in New England. The

printers of newspapers had also much merit in the same way ; particularly Edes and Gill, of Boston ; Holt, of New York ; Bradford, of Philadelphia ; and Timothy, of South Carolina.

The early attention which had been paid to literature in New England, was, also, eminently conducive to the success of the Americans, in resisting Great Britain. The university of Cambridge was founded as early as 1636, and Yale college in 1700. It has been computed, that, in the year the Boston port act was passed, there were, in the four eastern colonies, upwards of two thousand graduates of those colleges, dispersed through their several towns ; many of whom were able to influence and direct the great body of the people, to a proper line of conduct. The colleges to the southward of New England, except that of William and Mary in Virginia, were but of modern date ; but they had been of a standing sufficiently long to have trained, for public service, a considerable number of the youth of the country. The college of New Jersey, which was incorporated about twenty-eight years before the revolution, had, in that time, educated upwards of three hundred persons, who, with a few exceptions, were active and useful friends of independence. From the influence which knowledge had in securing and preserving the liberties of America, the present generation may trace the wise policy of their fathers, in erecting schools and colleges. They may also learn, that it is their duty to found more, and support all such institutions. Without the advantages derived from these lights of this new world, the United States would probably have fallen in their unequal contest with Great Britain. Union, which was essential to the success of their resistance, could scarcely have taken place, in the measures adopted by an ignorant multitude. Much less, could wisdom in council, unity in system, or perseverance in the prosecution of a long and self-denying war, be expected from an uninformed people. It is a well-known fact, that persons unfriendly to the revolution, were always most numerous in those parts of the United States, which had either never been illuminated, or but faintly warmed by the rays of science. The uninformed, and the misinformed, constituted a great proportion of those Ameri-

cans, who preferred the leading strings of the parent state, though encroaching on their liberties, to a government of their own countrymen and fellow citizens.

As literature had, in the first instance, favoured the revolution, so, in its turn, the revolution promoted literature. The study of eloquence, and of the belles lettres, was more successfully prosecuted in America, after the disputes between Great Britain and her colonies began to be serious, than it had ever been before. The various orations, addresses, letters, dissertations, and other literary performances, which the war made necessary, called forth abilities where they were, and excited the rising generation to study arts, which brought with them their own reward. Many incidents afforded materials for the favourites of the muses, to display their talents. Even burlesquing royal proclamations, by parodies, and doggerel poetry, had great effects on the minds of the people. A celebrated historian has remarked, that the song of Lillibulero forwarded the revolution of 1688, in England. Similar productions produced similar effects in America. Francis Hopkinson rendered essential service to his country, by turning the artillery of wit and ridicule on the enemy. Philip Freneau laboured successfully in the same way. Royal proclamations and other productions, which issued from royal printing presses, were, by the help of a warm imagination, arrayed in such dresses as rendered them truly ridiculous. Trumbull, with a vein of original Hudibrastic humour, diverted his countrymen so much, with the follies of their enemies, that, for a time, they forgot the calamities of war. Humphries twined the literary with the military laurel, by superadding the fame of an elegant poet, to that of an accomplished officer. Barlow increased the fame of his country, and of the distinguished actors in the revolution, by the bold design of an epic poem, ably executed, on the idea, that Columbus foresaw, in vision, the great scenes that were to be transacted on the theatre of that new world, which he had discovered. Dwight struck out in the same line, and, at an early period of life, finished an elegant work, entitled *The Conquest of Canaan*, on a plan which had been rarely attempt-

ed. The principles of their mother tongue were first unfolded, to the Americans, since the revolution, by their countryman Webster. Pursuing an unbeaten track, he has made discoveries, in the genius and construction of the English language, which had escaped the researches of preceding philologists. These, and a group of other literary characters, have been brought into view by the revolution. It is remarkable, that of these, Connecticut has produced an unusual proportion. In that truly republican state, every thing conspires to adorn human nature with its highest honours.

From the later periods of the revolution, till the present time, schools, colleges, societies, and institutions for promoting literature, arts, manufactures, agriculture, and for extending human happiness, have been increased, far beyond any thing that ever took place before the declaration of independence. Every state in the union has done more or less in this way; but Pennsylvania has done the most. The following institutions have been very lately founded in that state, and most of them in the time of the war, or since the peace. An university in the city of Philadelphia; a college of physicians in the same place; Dickinson college, at Carlisle; Franklin college, at Lancaster; the Protestant Episcopal Academy in Philadelphia; academies at York-town, at Germantown, at Pittsburg, and Washington; and an academy in Philadelphia for young ladies; societies for promoting political inquiries; for the medical relief of the poor, under the title of the Philadelphia Dispensary; for promoting the abolition of slavery, and the relief of free negroes, unlawfully held in bondage; for propagating the gospel among the Indians, under the direction of the United Brethren; for the encouragement of manufactures, and the useful arts; for alleviating the miseries of prisons. Such have been some of the beneficial effects, resulting from that expansion of the human mind, produced by the revolution; but these have not been without alloy.

To upset an established government unhinges many of those principles, which bind individuals to each other. The right of the people to resist their rulers, when invading their liberties, forms the corner stone of the American republics.

This principle, though just in itself, is not favourable to the tranquillity of established governments. The maxims and measures, which, in the years 1774 and 1775, were adopted and inculcated by American patriots, for oversetting the established government, will answer a similar purpose, when recurrence is had to them by factious demagogues, for disturbing the freest governments that were ever devised.

War never fails to injure the morals of the people engaged in it. The American war, in particular, had an unhappy influence of this kind. Commenced without funds, or regular establishments, it could not be carried on without violating private rights; and, in its progress, it involved a necessity for breaking solemn promises, and plighted public faith. The failure of national justice, in some degree unavoidable, increased the difficulties of performing private engagements, and weakened that sensibility to the obligations of public and private honour, which is a security for the punctual performance of contracts.

In consequence of the war, the institutions of religion were deranged, the public worship of the Deity suspended, and a great number of the inhabitants deprived of the ordinary means of obtaining that religious knowledge, which tames the fierceness, and softens the rudeness of human passions and manners. Many of the temples, dedicated to the service of the Most High, were destroyed. The clergy were left to suffer, without proper support. The depreciation of the paper currency was particularly injurious to them. It reduced their salaries to a pittance so insufficient for their maintenance, that several of them were obliged to lay down their profession, and engage in other pursuits. Public preaching, of which many of the inhabitants were deprived, seldom fails to render essential service to society, by civilizing the multitude, and forming them for union.

On the whole, the literary, political, and military talents of the citizens of the United States were improved by the revolution. Since the organization of the new government, in the year 1789, under the auspices of president Washington, the morals of the country have been in a state of improvement.

Good and evil are prolific ; and produce their own likenesses. The old federal system was unequal to the enforcement of justice, between the public and individuals : this was followed by its natural consequence, the failure of justice between citizens and citizens. All this was reversed by the new order of things. The payment of the public debt, contracted in the years of the revolution, was one of the primary inducements to form the new establishment. The adoption of efficient measures, for that purpose, was followed by correspondent arrangements for securing the discharge of private engagements. A good constitution and good laws, carried into effect by good executive officers, and upright independent judges, soon produced order and industry among the people. Their moral and religious habits were, in a short time, visibly mended. There is, perhaps, no country in the world, where so much has been done in the same time, by public munificence and private contribution, for the diffusion of knowledge, for the support of charitable and religious institutions, for the promotion of order and industry, and for the advancement of human happiness, as in the United States, in the course of the years which have elapsed since the establishment of their present most excellent form of government.

CHAPTER XXIX.

The discharge of the American army—The evacuation of New York—The resignation of General Washington.

WHILE the citizens of the United States were anticipating the blessings of peace, their army, which had successfully stemmed the tide of British victories, was unrewarded for its services. The States, which had been rescued by their exertions from slavery, were in no condition to pay them their stipulated compensation. To dismiss officers and soldiers, who had spent the prime of their days, in serving their country, without an equivalent for their labours, or even a sufficiency to enable them to gain a decent living, was a hard but unavoidable case.

An attempt was made, by anonymous and seditious publications, to inflame the minds of the officers and soldiers, and induce them to unite in redressing their own grievances, while they had arms in their hands. As soon as Washington was informed of the nature of these papers, he requested the general and field officers, with one officer from each company, and a proper representation from the staff of the army, to assemble on an early day. He rightly judged, that it would be much easier to divert from a wrong to a right path, than to recall fatal and hasty steps, after they had once been taken. The period, previous to the meeting of the officers, was improved in preparing them for the adoption of moderate measures. Washington sent for one officer after another, and enlarged, in private, on the fatal consequences, and, particularly, on the loss of character to the whole army, which would result from intemperate resolutions. When the officers were convened, the commander in chief addressed them in a speech well calculated to calm their minds. He also pledged himself,

to exert all his abilities and influence in their favour, requested them to rely on the faith of their country, and conjured them, "as they valued their honour, as they respected the rights of humanity, and as they regarded the military and national character of America, to express their utmost detestation of the man, who was attempting to open the floodgates of civil discord, and deluge their rising empire with blood." Washington then retired. The minds of those who had heard him were in such an irritable state, that nothing but their most ardent patriotism and his unbounded influence prevented the proposal of rash resolutions, which, if adopted, would have sullied the glory of seven years' service. No reply whatever was made to his speech.

The happy moment was seized, while the minds of the officers, softened by the eloquence of their beloved commander, were in a yielding state: and a resolution was proposed, and unanimously adopted, by which they declared, "that no circumstances of distress, or danger, should induce a conduct, that might tend to sully the reputation and glory they had acquired; that the army continued to have an unshaken confidence, in the justice of congress and their country; that they viewed with abhorrence, and rejected with disdain, the infamous propositions, in the late anonymous address, to the officers of the army." Too much praise cannot be given to Washington, for the patriotism and decision which marked his conduct, in the whole of this serious transaction. Perhaps, in no instance, did the United States receive from heaven a more signal deliverance, through the hands of the commander in chief.

Soon after these events, congress adopted a resolution, which had been for some time pending, that the officers of the army, who preferred a sum in gross to an annuity, should be entitled to receive the amount of five years full pay, in money or securities at six per cent, per annum, instead of the half pay for life, which had been previously promised them.

To avoid the inconveniences of dismissing a great number of soldiers in a body, furloughs were freely granted to individuals; and after their dispersion, they were not enjoined to

return. By this arrangement, a critical moment was passed by in safety. A great part of an unpaid army was disbanded, and dispersed over the states, without tumult or disorder. The privates generally betook themselves to labour, and crowned the merit of being good soldiers, by becoming good citizens. Several of the American officers, who had been bred mechanics, resumed their trades. In old countries, the disbanding a single regiment, even though fully paid, has often produced serious consequences; but in America, where arms had been taken up for self-defence, they were peaceably laid down, as soon as they became unnecessary. As soldiers had been easily and speedily formed, in 1775, out of farmers, planters, and mechanics; with equal ease and expedition, in the year 1783, they dropped their adventitious character, and resumed their former occupations.

About eighty of the Pennsylvania levies formed an exception to the prevailing peaceable disposition of the army. These, in defiance of their officers, set out from Lancaster, and marched to Philadelphia, to seek redress of their grievances, from the executive council of the state. The mutineers, in opposition to advice and intreaties, persisted in their march, till they arrived at Philadelphia. They were there joined by some other troops, who were quartered in the barracks. The whole, amounting to upwards of three hundred men, marched with fixed bayonets, and drums, to the state-house, in which congress, and the supreme executive council of Pennsylvania, held their sessions. They placed guards at every door, sent in a written message to the president and council of the state, and threatened to let loose an enraged soldiery upon them, if they were not satisfied as to their demand within twenty minutes. The situation of congress, though they were not the particular object of the soldiers' resentment, was far from agreeable. After being about three hours in duress, they retired; but previously resolved, that the authority of the United States had been grossly insulted. They left Philadelphia, and fixed on Princeton, as the place of their next meeting. Washington immediately ordered a large detachment of his army to march for Phi-

ladelphia. Previously to their arrival, the disturbances were quieted without bloodshed. Several of the mutineers were tried and condemned, two to suffer death, and four to receive corporal punishment: but they were all afterwards pardoned.

Towards the close of the year 1783, congress issued a proclamation, in which the armies of the United States were applauded, "for having displayed, in the progress of an arduous and difficult war, every military and patriotic virtue," and in which, the thanks of their country were given them, "for their long, eminent, and faithful services." Congress then declared it to be their pleasure, "that such part of their federal armies, as stood engaged to serve during the war, should, from and after the third day of November next, be absolutely discharged from the said service." On the day preceding their dismissal, Washington issued his farewell orders, in the most endearing language. After giving them his advice respecting their future conduct, and bidding them an affectionate farewell, he concluded with these words; "May ample justice be done them here, and may the choicest of Heaven's favours, both here and hereafter, attend those, who, under the divine auspices, have secured innumerable blessings for others. With these wishes, and this benediction, the commander in chief is about to retire from service. The curtain of separation will soon be drawn, and the military scene, to him, will be closed forever."

With great exertions of the superintendant of finance, four months pay, in part of several years arrearages, was given to the army. This sum, though trifling, was all the immediate recompense the States were able to make to those brave men, who had conducted their country through an eight years war, to peace and independence.

The evacuation of New York took place in about three weeks after the American army was discharged. For a twelvemonth preceding, there had been an unrestrained communication between that city, though a British garrison, and the adjacent country. The bitterness of war passed away; and civilities were freely interchanged between those, who had

lately sought for opportunities to destroy each other. Washington and governor Clinton, with their suites, made a public entry into the city of New York, as soon as the royal army was withdrawn. The lieutenant-governor, and members of the council, the officers of the American army, and the citizens, followed in elegant procession. It was remarked, that an unusual proportion of those, who, in 1776, had fled from New York, were by death cut off from partaking of the general joy, which flowed in upon the survivors, on returning to their ancient habitations. The ease and affluence, which they enjoyed in the days of their prosperity, made the severities of exile inconvenient to all, and fatal to many, particularly to such as were advanced in life. The survivors felt and expressed the overflowings of joy, on finding their sufferings and services rewarded, with the recovery of their country, the expulsion of their enemies, and the establishment of their independence. In the evening, there was a display of fireworks, which exceeded every thing of the kind before seen in the United States. They commenced by a dove's descending with an olive branch, and setting fire to a maron battery.

The hour now approached, in which Washington was to take leave of his officers, endeared to him by a long series of common sufferings and dangers. This was done in a solemn manner. The officers, having previously assembled for the purpose, Washington joined them, and, calling for a glass of wine, thus addressed them: "With a heart full of love and gratitude, I now take leave of you. I most devoutly wish, that your latter days may be as prosperous and happy, as your former ones have been glorious and honourable." The officers came up successively, and he took an affectionate leave of each of them. When this affecting scene was over, Washington left the room, and passed through the corps of light infantry, to the place of embarkation. The officers followed in a solemn mute procession, with dejected countenances. On his entering the barge, to cross the North river, he turned towards the companions of his glory, and, by waving his hat, bid them a silent adieu. Some of them answered this last sig-

nal of respect and affection with tears : and all of them hung upon the barge which conveyed him from their sight, till they could no longer distinguish, the person of their beloved commander in chief.

A proposal was made to perpetuate the friendship of the officers, by forming themselves into a society, to be named after the famous Roman patriot Cincinnatus. The extreme jealousy of the new republics suspected danger to their liberties, from the union of the leaders of their late army ; and especially from a part of their institution, which held out to their posterity, the honour of being admitted members of the same society. To obviate all grounds of fear, at a general meeting of the society, an alteration of their constitution was recommended, which has been adopted by eight of the state societies. By this recommendation, it was proposed to expunge every thing hereditary, and to retain little else than their original name, and a social charitable institution, for perpetuating their personal friendships, and relieving the wants of their indigent brethren.

Washington, on the approaching dissolution of the American army, by a circular letter to the governors or presidents of the individual states, gave his parting advice to his countrymen ; and, with all the charms of eloquence, inculcated the necessity of union, justice, subordination, and such principles and practices, as their new situation required.

The army being disbanded, the commander in chief proceeded to Annapolis, then the seat of congress, to resign his commission. On his way thither, he delivered to the comptroller, in Philadelphia, an account of the expenditure of all the public money, he had ever received. This was in his own hand writing. Every entry was made in a very particular manner, and supported by vouchers in every case, except those of secret services. The whole sum, which, in the course of the war, had passed through his hands, amounted only to 14,479*l.* 18*s.* 9*d.* sterling. Nothing was charged or retained as a reward for personal services. Actual disbursements had been managed with such economy and fidelity, that they were all covered by the above moderate sum.

In every town and village, through which he passed, he was met by public and private demonstrations of gratitude and joy. When he arrived at Annapolis, he informed congress of his intention to ask leave to resign the commission he had the honour to hold in their service, and desired to know their pleasure as to the manner it should be tendered. They resolved that it should be in a public audience. When the day, fixed for that purpose, arrived, December 23d, 1783, a great number of distinguished personages attended the interesting scene. At a proper moment, Washington addressed Thomas Mifflin, the president, in the following words :

“ Mr. President,

“ The great events, on which my resignation depended, having at length taken place, I have now the honour of offering my sincere congratulations to congress, and of presenting myself before them, to surrender, into their hands, the trust committed to me, and to claim the indulgence of retiring from the service of my country.

“ Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence ; a diffidence in my abilities to accomplish so arduous a task, which, however, was superseded by a confidence in the rectitude of our cause, the support of the supreme power of the union, and the patronage of heaven.

“ The successful termination of the war has verified the most sanguine expectations : and my gratitude, for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

“ While I repeat my obligations to the army in general, I should do injustice to my own feelings not to acknowledge, in this place, the peculiar services, and distinguished merits of the persons, who have been attached to my person, during the war. It was impossible the choice of confidential officers, to compose my family, should have been more fortunate. Per-

mit me, sir, to recommend, in particular, those who have continued in the service to the present moment, as worthy of the favourable notice and patronage of congress.

“ I consider it an indispensable duty to close this last solemn act of my official life, by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them, to his holy keeping.

“ Having now finished the work assigned me, I retire from the great theatre of action ; and, bidding an affectionate farewell to this august body, under whose orders I have long acted, I here offer my commission, and take my leave of all the employments of public life.”

The president returned the following answer :

“ The United States, in congress assembled, receive, with emotions too affecting for utterance, the solemn resignation of the authority, under which you have led their troops with success, through a perilous and doubtful war.

“ Called upon by your country to defend its invaded rights, you accepted the sacred charge before it had formed alliances, and whilst it was without friends or a government to support you.

“ You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power, through all disasters and changes. You have, by the love and confidence of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered, till these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety, and independence : on which happy event, we sincerely join you in congratulations.

“ Having defended the standard of liberty in this new world ; having taught a lesson useful to those who inflict, and to those who feel oppression, you retire from the great theatre of action, with the blessing of your fellow-citizens : but the glory of your virtues will not terminate with your military

command. It will continue to animate remotest ages. We feel, with you, our obligations to the army in general, and will particularly charge ourselves with the interests of those confidential officers, who have attended your person to this affecting moment.

“ We join you, in commending the interests of our dearest country to the protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens, to improve the opportunity afforded them, of becoming a happy and respectable nation. And for you, we address to him our earnest prayers, that a life so beloved may be fostered with all his care ; that your days may be happy, as they have been illustrious ; and that he will finally give you that reward which this world cannot give.”

The great scenes that crowded upon the imagination of the general, and of the president, so affected them both, that they almost lost the power of utterance. The mingled emotions, that agitated the minds of the spectators, on seeing the commander in chief of their armies resigning all public employments, and his country acknowledging his services, and loading him with their blessings, were beyond description.

Immediately on resigning his commission, Mr. Washington “ hastened with ineffable delight,” to use his own words, to his seat at Mount Vernon, on the banks of the Potowmac, in Virginia. Fain would the historian pursue the illustrious hero of the revolution, a little further, and attempt to describe his feelings, upon his first review of the events of the war, from the quiet station which he now occupied : but this digression would lead him far from the objects of his history.

To pass suddenly from the toils of the first public commission in the United States, to the care of a farm ; to exchange the instruments of war, for the instruments of husbandry ; and to become, at once, the patron and example of ingenious and profitable agriculture, would, to most men, have been a difficult task : but to the elevated mind of the late commander in chief of the armies of the United States, it was natural and delightful. Should these pages descend to posterity, and war

continue, ages hence, to be the means of establishing national justice, let the commanders of armies learn from the example of Washington, that the fame which is acquired by the sword, without guilt or ambition, may be preserved without power, or splendour, in private life?

CHAPTER XXX.

Civil History of the United States, from 1783 to 1789.

THE evacuation of New York by the British, and the definitive treaty of 1783, left the United States in possession of peace and sovereignty. Much remained to be done, to make these acquisitions real blessings. The war had unsettled every thing, and the arrangements adopted amidst the din of arms were temporary and inadequate. The policy of settling colonies, which is generally the work of old states, became an object of attention with the Americans, at an early period of their sovereignty. By the treaty of peace, large ungranted territories, formerly held as the property of the king of England, were transferred to the United States. In every period of their late war, the citizens were encouraged to look to this fund, as a source of income, which would contribute largely to the extinction of their revolutionary debts. To make it productive, some previous arrangements were requisite. These lands were in the possession of the Aborigines, and were included within the chartered limits of individual states. To obtain the relinquishment of both was necessary. Treaties were instituted, to purchase them from the native proprietors. In negotiating with their head men, care was taken to inform them, that the king of England had ceded their country to the United States, and that they, as allies of Great Britain, were a conquered people. Observations of this kind were urged, with a double view, of obtaining their consent to part with their lands, and of detaching them from all partiality to the British, whose province of Canada was in their vicinity. Under these impressions, they ceded a large extent of country, northwest of the Ohio. This was done by treaties, which procured for them peace, the friendship of the United States, and a regular supply of goods for their support and comfort.

As early as the year 1780, Congress urged on the states, whose charters included ungranted western territory, to make liberal cessions of it to the Union, for national purposes. The small states, without unappropriated territory, always contended, that the lands, gained by the common exertions of all the states, were, or ought to be, common property : for, in their opinion, the Union succeeded to all the prerogatives of the king of England, over the ceded territory. The claim of right was waived, and that of expedience brought forward, and urged in conciliatory language. A spirit of accommodation prevailed. Ample cessions were made in favour of the nation, by individual states. In this business, Virginia took the lead. In the year 1783, she transferred to the United States, all her territory, northwest of the river Ohio ; amounting to more than 200,000 acres. Her example was speedily followed by the other states. The liberal policy of Virginia was further displayed, in the case of Kentucky.* The people,

* The country adjacent to the Ohio, and particularly what is now called Kentucky, was long carefully concealed by the French, who, holding Canada on the north, and Louisiana on the south, adopted measures, early in the eighteenth century, for connecting these distant colonies, by posts and settlements, extending from one to the other. In 1714, Spotswood, governor of Virginia, took a journey to the Apalachian mountains, and ascertained the practicability of crossing them. From their lofty eminences, he surveyed the beautiful subjacent plains, comprehended within the range of his government. Hunters and Indian traders, before and afterwards, had occasionally traversed them ; but Mr. ——— was the first person who visited this country with a view of settlement. In the year 1754, he carved his name on a tree, as an evidence of his taking possession. The war of 1755 prevented the execution of his design. The first permanent settlement was made by Daniel Boone, and five other heads of families. These were joined by forty more, from Powell's valley, who constituted the whole white population of Kentucky, in 1773 : though, by the census taken in 1800, it was found to amount to 220,000. During the war of the American revolution, the infant settlement of Kentucky was repeatedly ravaged, and almost annihilated by the attacks of the Indians, stimulated to rapine and murder, by emissaries from the government of Canada. But reinforcements of emigrants, attracted by the fertility of the soil, enabled the inhabitants to undertake even offensive measures. In the latter end of 1778, the brave general Clarke, in several expeditions, defeated a number of tribes of Indians, laid waste their villages, and was the means of saving the country from

who now form that state, were originally represented by delegates, who came six hundred miles to attend the general assemblies, held at Richmond. Kentucky was on every principle a part of Virginia, till the latter, with great magnanimity, not only voluntarily released her, from the inconvenience of seeking law and justice from the original source of both, on the eastern side of the Apalachian mountains; but authorized and encouraged her to set up an independent government, to be formed by the free voice of her own inhabitants. This was accordingly done; and, in 1792, she was admitted into the union on equal terms. A similar policy, on the part of Great Britain, would have prevented the American war,* and per-

destruction. In 1777, this newly settled country was erected into a county; and, in 1782, the legislature of Virginia made it a separate district, and established in it a supreme court. This measure conduced much to the convenience of the inhabitants and the interests of justice. Still, as the seat of government was at the distance of six hundred miles, the necessity of a separation occasioned a convention of deputies from the different counties, in 1785; who determined that an application should be made to Virginia, to procure her consent to the independence of Kentucky. This was generously granted.

* A proposition to this effect was published by Dean Tucker, at an early period of the contest between Great Britain and her colonies; but was brought forward under such circumstances as to preclude any serious investigation of its merits. The Dean was for treating the Americans, as parents do their headstrong, petulant children, by leaving them to themselves, that they might learn by experience the consequences of their indiscretion and folly. His proposition insulted the colonies, and was by no means reputable to the parent state. It was not urged as an act of magnanimous policy, becoming a great nation; but from the selfish view of exonerating the people of England, from a heavy, troublesome incumbrance. The same proposition, seriously offered, with a sublime intention of promoting the interest of both countries, and of cementing their friendship, by a reciprocal exchange of such kind offices, as usually take place between good parents and affectionate, adult, settled children, would doubtless have led to consequences very different from those that resulted from the collision of interfering claims, between a supreme and subordinate government, urged to extremities, when the last was fully competent to take care of itself. It is certain, from subsequent events, that Britain might, in that case, have secured to herself nearly all the advantages of the trade of the American states, without the trouble and expense of governing or protecting them, as a component part of the common empire.

petuated a friendly union between two countries, which, acting in concert, might have been confident against a world in arms. Tennessee, originally a part of North Carolina, became, in the year 1796, on equal terms, a member of the confederation; but had previously passed through two states of political existence: first, as practically independent, by its own authority, without the consent either of North Carolina or of congress; and secondly, as a colony of the United States.* The right of man, to institute governments, was so generally adopted by the Americans, that no hostile efforts were made to crush the assumed independence of the country, which is now called the State of Tennessee; but respect for order and the common good weighed so much, with all the parties, that its irregular independence was voluntarily relinquished, in favour of one brought round by common consent, in a constitutional manner. Vermont was, in like manner, formed into an independent state, against much opposition. The soil was claimed by two or three adjacent states; but principally by New York. The American principles of the rights of man were so far acted

* An opinion early and generally prevailed, that the inhabitants, on the east and west side of the Apalachian mountains, should belong to distinct governments; that these proud eminences formed natural boundaries of civil associations, on their respective sides. The war of 1755—1763 was entered upon by France, under an impression that all the countries, washed by rivers emptying into the east side of the Mississippi, belonged to Louisiana. After the peace of 1763, the proclamation of George the third forbade any grants of land, to the westward of the heads of the rivers which ran eastwardly; but this was not sufficient to restrain the roving disposition of his American subjects. The country, now called Tennessee, was explored about the middle of the eighteenth century, and some temporary settlements were made therein, as early as 1765; but none permanent, or of consequence, till 1774. The western settlers found it inconvenient to seek for law and justice over the mountains, at the distance of some hundreds of miles. They therefore formed for themselves a separate system of government, to which they gave the name of Franklin. Their numbers were rapidly increased, by emigrants from the Atlantic states. In the year 1788, they returned to their connexion with North Carolina: and their country, by common consent, was ceded to Congress. It became a colony, under the superintendence of the national government, and was governed as such till it was admitted into the Union.

upon, by the inhabitants of the country now called Vermont, that, in opposition to chartered rights, they set up, in 1777, an independent government for themselves, and were both able and willing to support it.* The sword of civil war was

* The clashing claims to the soil of Vermont were founded on British governmental acts, inconsistent with each other. These, being all happily done away, merit, at this time, no particular retrospective consideration. A large tract of country to the west of Connecticut river, claimed, on apparently good grounds, as a part of New Hampshire, had been granted by the royal governor thereof, between 1749 and 1764. In consequence of the peace of Paris, which united New York, Canada, and New England under one sovereign, this country, formerly a barrier between contending nations, suddenly became of value, and in great demand. New York, which hitherto had seldom and feebly urged her claims to these lands, came forward, and, by proclamation of her royal governor, recited her title to them, founded on a grant, more than a hundred years before, to the duke of York, by Charles II.; and commanded the sheriff of the county of Albany, to make returns of the names of all persons, who, under colour of the New Hampshire grants, had taken possession of any lands, to the west of Connecticut river. This was answered by a counter proclamation, from the royal governor of New Hampshire. On application to the ruling powers of the mother country, the jurisdiction of the lands in question was declared to belong to New York. This declaration was considered by the New Yorkers, as deciding that the soil, as well as the jurisdiction, belonged to them; and it was urged so far, as to call on the grantees, to take out new titles from the governor of New York. They, having once paid for their lands, granted as royal property by the king's representative, resisted this unexpected demand. In consequence thereof, their lands were re-granted to new applicants, and writs of ejectment were successfully urged, in the courts of New York, against the claimants under New Hampshire. Ethan Allen, one of the latter, exclaimed, "the Gods of the vallies are not Gods of the hills," and promoted a convention of the grantees under New Hampshire. By them, a resolution was passed, to support their rights against New York. Opposition to its jurisdiction was hence systematised. The confines of civil war, between the parties, were repeatedly approached. The resisting Green-mountain boys, a name by which the grantees under New Hampshire were distinguished, formed themselves into a self-governed community, and put the civil power of their adversaries at defiance. New York had a nominal jurisdiction; but the ejected grantees a real independence, for several years prior to that of the United States. In this state of things, the American war commenced. Immediately after the battle of Lexington, Ethan Allen, at the request of Connecticut, with one hundred and eighty of these Green-mountain boys, surprised and took Ticonderoga. The splendor of this gallant exploit pro-

half unsheathed, when the paternal advice of Washington induced these mountaineers to replace it in the scabbard. The

cured for him many friends. He availed himself of the prevailing doctrines of the rights of man, and played them off against the New Yorkers, with the same train of reasoning by which the United Colonies justified their resistance to Great Britain. In the beginning of the contest, both parties endeavoured to make friends in Great Britain: but henceforth they paid their court to Congress. The sanctity of royal grants was urged by one; the rights of man, and a previous fair purchase, by the other. Soon after the declaration of independence, the Vermonters, in like manner, formally declared themselves independent, and as such applied to Congress to be received into the Union. They had many friends; but New York declaimed against the dismemberment of their state. Congress, afraid to offend either, decided on nothing. The assumed independence of the Vermonters was not acknowledged. Their submission to New York was not enforced. The Vermonters stood by themselves, erect and firm, aiding the general cause of America; but with equal energy resisting New York. They carried on government with so little expense, that their taxes were light. Subject neither to Great Britain, Congress, nor New York, they felt less of the inconveniences of war than their neighbours. Their cause was popular. Several removed so as to be within their limits; and others in their vicinity wished to be united with them. The British, from policy, treated them with respect; gave them a virtual neutrality; and finally offered to constitute Vermont an independent royal province, with peculiar privileges, under British protection. The Vermonters, true to America, would not desert its cause; true to their own interest, they procrastinated and amused the British, with appearances of yielding to their wishes, declaring they would sooner submit to Great Britain, than to New York. In the decisive campaign of 1781, by that policy they kept ten thousand men inactive in Canada, waiting events, and in expectation that the Vermonters would close with the British offers. Despatches, detailing these apparently well-founded hopes, addressed by British commanders in America to their superiors in England, were taken on the way, and published in America. This weighed with Congress as a powerful inducement to acknowledge the independence of Vermont; but nothing was agreed upon, until the treaty of peace, of 1783, included the territory of Vermont within the limits acknowledged to be independent. Thus these hardy mountaineers carried their point, in a way neither designed nor expected. That independence, which New York opposed, and Congress hesitated to acknowledge, was incidentally declared by Great Britain. Vermont now stood alone, a free state, unconnected with the surrounding free states, with Great Britain, and with every part of the world; and under no obligation to pay any part of the expenses of the war of independence. New York, finding all her efforts ineffectual to reclaim Vermont, as a part of her territory, yielded to the necessity of the case; and passed laws for

eloquence of Hamilton, some years afterwards, induced the New Yorkers to yield to the necessity of the case, and consent, on terms of compromise, to the assumed independence of a new formed state, which they could neither prevent nor overturn. It was admitted into the union in 1791. Thus three states were added to the original thirteen. In the case of Kentucky, this was done to the satisfaction and honour of the Virginians, on both sides of the mountains. In the cases of Tennessee and Vermont, it was done to the interest and advantage of all parties; but not without some departure from the principles on which the union and strength of government depend. The result was highly honourable to republican governments, and to the good sense of the people. Under other circumstances, especially such as on the part of Great Britain gave rise to the American revolutionary war, the rivers of Vermont and of Tennessee would have been crimsoned with blood.

In addition to these three states, which were formed from inhabitants, collected before the peace of 1783, a new one, the state of Ohio,* has been formed in the vacant wilderness; and

settling boundaries between herself and Vermont, as contiguous states; and for accepting of thirty thousand dollars, in lieu of all New York grants of land in the latter, which had been annulled by its legislature; and expressing her consent that Vermont should be admitted into the Union. A convention of the inhabitants thereof was called, and the question formally debated, whether they should remain in their detached situation, or unite with the thirteen original states. They wisely decided in favour of union. A compact accordingly took place; and Vermont became the first of the new states, though in fact the oldest of the whole: for she had been independent seven or eight years, before any of the original revolutionary states had adopted the bold resolution of claiming that high character.

* The state of Ohio was the first formed, from the beginning, on American principles. The soil, though contained in the charters of Virginia and Connecticut, was liberally transferred to the United States, for common benefit. In addition to this right, Congress purchased it from the native proprietors, and afterwards sold a great part of it on behalf of the United States, on easy terms, and in townships of six miles square. A temporary form of government was granted to the settlers, as free as was consistent with the nature of a subordinate colony. These privileges, the mildness of the climate, and fertility of the soil, allured settlers in abundance. Prior to 1788, there

six embryo states* are now growing up, in the form of colonies, or appurtenant territories. In these arrangements, the difference between American and European principles in colonizing, is strongly marked. In the latter, the object has been pre-eminently the benefit of the parent state. In the former, the joint benefit of both, by a free communication of equal rights and common privileges. In the one case, some commercial advantage of the mother country has been pursued; in the other, the good of mankind, by extending the benefits of civil government, on terms of equality and independence. Congress gave no charters to their colonies; but sold lands in absolute property to settlers, who, from the gift of God, were in actual possession of the rights of man, and invited them as such to join in a common, equal, social compact. The sovereigns of Europe gave lands to their colonists; but reserved by charters a right to control their property, privileges and liberties.

Under the influence of these liberal principles, congress, in organising colonies, bound themselves to impart to their inhabitants all the privileges of co-equal states, as soon as they were capable of enjoying them. In their infancy, government was administered for them, and without any expense. As

were no civilized inhabitants in what is now called the state of Ohio, except a few Moravians and some trespassers on public lands. In that year, orderly settlements commenced at Marietta, under the superintendence of general Rufus Putnam, and progressed with such rapidity, that, in 1802, they were received into the Union. In the short space of fourteen years, a colony, emanating from the liberality of Virginia, and the wisdom of Congress, had grown up on wild lands to such magnitude, that it became a state, equal in rights and privileges to Virginia herself, though the oldest in the Union. A part of the remainder of the Virginia cession has been subdivided into the territorial governments of Indiana, Michigan, and Illinois, and is settling with white people, and progressing in the steps of Ohio to the rank of free states.

* Louisiana, Indiana, Mississippi, Illinois, Missouri, and Michigan; of which, Louisiana, in 1812, and Indiana, in 1816, were created states, and received into the Union. In 1817, Congress authorized the inhabitants of the western part of the Mississippi territory, to form a constitution, and assume the relation of one of the United States.

soon as they should have 60,000 inhabitants, they were authorized to call a convention, and by common consent to form their own constitution. This being done, they were entitled to a representation in congress, and every right attached to the original states. These privileges are not confined to persons of any particular country, or complexion. They are communicable to the emancipated slave; for in the new state of Ohio, slavery is altogether prohibited; to the copper coloured native, and all other human beings, who, after a competent residence and degree of civilization, are capable of enjoying the blessings of regular government. In favour of the aborigines, the door of admission to the high privileges of freemen, with equal rights, is opened, and they are encouraged by government to qualify themselves for entering it. National efforts have ever since been making, to teach them the arts of agriculture, of civil and social life, and as soon as they cease to be savages they may become citizens. In this manner, the range of government has been enlarged. The thirteen original states are increased to seventeen, and they will soon exceed twenty; and there is nothing to hinder their doubling that number. The experiment has never yet been fairly made, to what extent the American principles of union and liberty may be carried. Governments instituted solely for the benefit of the people, admit of a wider range, than either limited monarchies or the most absolute despotisms. Such have been instituted in the United States, and, for one third of a century, have answered very well. The recent acquisition of Louisiana will bring their principles to the test of experience. While Europeans held possession of the mouths of the Mississippi, the peace and prosperity of the millions, inhabiting the vicinity of its numerous tributary streams, would have been insecure. In the year 1802, Spain, in violation of her treaty with the United States, interrupted the commerce of the latter from passing through that outlet to the Gulf of Mexico. The provocation was sufficient to have kindled a war; but negotiation was preferred. Explanations and concessions followed. The ground of contention was done away, by a sale of Louisiana, in the year 1803, to the United States. The whole river,

from its source to its mouth, became the property of the latter. The territory thus acquired without bloodshed affords a substratum for empire, containing many hundreds of millions of acres. That it will remain united under one head, remains to be decided ; but it is certain that its limits are too extensive to be well governed on any other principles than those which are American. While local legislatures take care of all purely domestic interests, and a general government provides for all common concerns, the liberties of many small states may be combined with the strength of a gigantic empire. In pursuance of principles already adopted, and successfully acted upon, germs of settlement have, at different periods, been planted in the wilderness. These, after a short period of colonial existence, will become independent states, governed by their own will in every particular, where nothing but their own interests are concerned, and as such admitted to be, on equal terms, component parts of the general government of the nation.

To unite the citizens more closely, a common coinage* was adopted by the new formed states. Fortunately for the United States, neither gold nor silver had been found in them to any considerable extent. The money, which had generally passed current, bore the stamp of European sovereigns. The Mexican dollar had at all times been common in the British colonies. This was wisely adopted, by the United States, so far that a piece of silver, of equal value, with peculiar devices, was adopted and coined as their money unit. Pounds, shillings and pence gave place to dollars and cents. The latter was a copper coin, equal to the hundredth part of a dollar. For the convenience of business, gold pieces equal to ten dollars were coined, by the name of Eagles : and with the same view, both gold and silver coins were subdivided. Half cents were also

* The colony of Massachusetts, in 1652, coined into small pieces a quantity of silver bullion. The coins bore the figure of a pine tree, and circulated in New England. This practice continued more than thirty years, and was the only instance of a mint in the colonies. Maryland, in 1662, passed a law for establishing a mint ; but it does not appear that it was carried into execution.

coined ; and the whole arranged on a decimal plan. Arithmetical operations were thereby greatly facilitated. The old denominations, the relics of antiquity, when money was weighed and not counted, are nearly laid aside. So much foreign coin came into the country, in the way of commerce, that the change of current money was gradual, and is not yet complete ; but accounts are now generally kept, by men of business, in dollars and cents. Enough has been done to put the United States on a footing with other nations, so far as to have a coin of its own ; the alloy, composition, value, form and devices of which are wholly American.

In addition to these and other domestic arrangements, Congress extended its views to commercial connexions with European powers. Dr. Franklin concluded a treaty between the United States and the king of Sweden. He, Mr. Adams, and Mr. Jefferson, were appointed joint commissioners for forming commercial treaties with foreign powers. They succeeded in their negotiation, with the king of Prussia and the emperor of Morocco. These several treaties were established on principles of liberality and reciprocity. The one with the king of Prussia recognised the principle, that, "in time of war free ships make free goods."

Though the new formed states had, in this early period of their sovereignty, attracted a considerable share of public attention, yet their government was not settled on a solid foundation. The articles of confederation which had been formed in a time of war, and under the pressure of common danger, were found to be inadequate to the efficient government of the same country and people, in the selfish periods of peace and security. A radical reform became necessary.

The circumstances, which led to this important measure, merit a particular detail.

CHAPTER XXXI.

The Constitution of the United States.

MOST of the present governments of the world were originally small, separate associations, which, by conquest or compact, have been consolidated. This general tendency to union took place in the colonies, and was encouraged from different sources, and with different views. Royal sovereigns promoted it, to make a more effectual resistance to the neighbouring French colonies, and also to increase their own power. The successors of James I. soon found that the charters, inconsiderately granted by him, nurtured a spirit of liberty hostile to their views. To revoke them, and to consolidate the colonies in large governments, more under the royal controul, were favourite objects with three successive sovereigns, Charles I. and II., and James II, from 1635 to 1688. But these royal attempts at consolidation were defeated by the English revolution. That union, which kings attempted to accomplish for their aggrandisement, was also aimed at by the people of America; but on different principles, and solely for their own security and defence. The New England colonies confederated, in 1643, with these views, and under articles similar to those which were adopted by the United States, in the period of their revolutionary war. This confederation, of popular origin, rendered those colonies formidable to their Dutch, French, and Indian neighbours. It maintained general harmony among themselves, secured the peace and rights of their country, preserved the colonies during the civil wars and unsettled state of England, prior to the restoration in 1660; it was the grand instrument of their defence in Philip's war; and was essentially serviceable in the intercourse of the United Colonies with the Indians. This union subsisted more than forty years; but was dissolved by the

abrogation of the charters of the colonies which composed it. In 1686, king James II. had succeeded so far in breaking the charters, under which the first colonies were planted, that a consolidated government, without representatives of the people, was established, and Sir Edmund Andross was appointed governor-general of five or six of the northern colonies. At this crisis, the revolution of 1688 took place. A new æra commenced. Prerogative received a deadly wound, and liberty revived: but the advantages of union were so great and so evident, that approximations to it continued to be made, both by princes and people. In the wars of king William, queen Ann, and the Georges, or from 1692 to 1763, there were several semi-congresses, by occasional meetings of royal and proprietary colonial governors, provincial counsellors, influential representatives of the people, and commanders of the British armies in America, to concert common measures of offence and defence. These answered a temporary purpose; but, from want of an efficient common executive, fell far short of what the public exigencies required. A systematic attempt, for general union on fixed principles, was made in 1754, by a congress of plantation governors and representatives of the king and the people, which met at Albany. From it, nothing permanent or of immediate efficiency resulted.* In these transactions an union of force and a concentration of views, for common national purposes, were aimed at both by Britain and her colonies; but they could not agree in the means of accomplishing their wishes. The Albany plan of union was rejected in England, because it

* This convention at Albany doubtless left an impression on the public mind of the practicability of union. How far the recollection of this abortive project may have disposed the colonists to unite, on their own views, when some years afterwards they dared to contend with Great Britain, is beyond the ken of mortals. It obviously tended to suggest the idea of a continental congress of deputies from each of the colonies, which was the mode of combining their views that carried them through the revolution. Dr. Franklin was a leading member in both. The general outlines of the two plans of union brought forward on this occasion, one by the colonists, and the other by British influence, have already been mentioned.

gave too much power to the colonies. It was rejected in America, because it gave too much power to the crown. The collisions, between the prerogatives of a supreme, and the republican spirit of subordinate, government, began to be displayed. In the course of a few years, they were brought into action. Immediately after the peace of 1763, Britain began practically to enforce her supremacy. The measures she adopted for that purpose begat a new principle of union, which operated from 1765, or the æra of the stamp act. This was purely American, and with the view of systematising opposition to Great Britain, then beginning to abridge the rights of her colonies, a congress of deputies from several of them met at New York. The subsequent repeal of the stamp act dissolved this temporary union. In the year 1767, when the project of an American revenue was resumed, a new mode of promoting union was introduced by the general court of Massachusetts. They originated a political correspondence with the assemblies of the other colonies. Without meeting in congress, they generally adopted separate, but uniform modes of stating their claims, and petitioning for a redress of their grievances. This intercourse of the provincial assemblies having answered the end of its institution, was soon discontinued; but the efforts of the East India company to introduce their tea, loaded with an obnoxious duty, to be sold in America, revived it in 1773, with increased vigour. The principles of union were extended. Committees of correspondence were multiplied. By their means, the people, though dispersed over an extensive country, were brought to act in concert. The Boston port act united the whole more closely than ever, and, in the year 1774, gave birth to a congress of deputies from twelve of the colonies. This was the first body whose acts operated as general laws. The colonies were henceforward distinguished by the epithet "United." They were truly so in affection and interest, resulting from common danger; but not formally by any instrument of association, designating the principles of their union. They laid on an embargo, which, without law, was much better observed than that of 1808, though enforced by legislative penalties. They, in their meet-

ing in 1775, raised armies, emitted bills of credit, and performed the most important acts of sovereignty, though they called themselves British subjects, and were bound together by no ties, but honour and a sense of common danger. On their recommendation, the most self-denying measures were adopted. Immense expenses were incurred, on no other foundation of credit than general assurances, that all burdens should be ultimately equalised. The revolutionary fervour of the moment did not stoop to examine the nature of funds, or to make calculations on the probabilities of loss or gain. The wealth, the energies, and resources of the country were freely brought into a common stock, at the disposal of congress, though a body unknown in law, and possessed of no power further than what was advisory. This high-toned state of public confidence could not last long. After independence was declared, and foreign connexions were solicited, cautious Europeans inquired for the articles of their confederation or union. None such formally existed. The continuance of the war, and the abatement of revolutionary zeal, required that some compact among the states should be established, definitely ascertaining fixed principles of union. A draught of articles for this purpose was agreed upon by congress, and signed by its members June 9th, 1778. But this could not be obligatory, till it was sanctioned by all the states. Delays took place; explanations were required; difficulties were started: the chief of which came from the small states, which owned no unappropriated western territory. Some assurances being given, that this should constitute a general fund for national benefit, these states concurred with the others, whose limits were more extensive. The confederation was finally completed on the first of March, 1781, by the signature of John Hanson and Daniel Carroll, on the part of Maryland. This henceforward became the rule of all congressional proceedings. It gave more solemnity and a greater binding force to their measures; but retarded them. It required the concurrence of seven states to every act, and of nine to sundry enumerated higher objects of legislation. It frequently happened that some of the states were not represented at all, or only

by one member, or by an even number equally divided. In these several cases, the state lost its vote. Of twenty-six members representing thirteen states, the dissent of seven individuals rendered the concurrence of the other nineteen of no avail. Of eighteen members representing nine states, the dissent of any one member prevented the passing any act of the higher grade of legislation. The dissent of any three prevented the passing of any act whatever. In this confederation, and all preceding partial ones, the jealousy and selfishness of each state, for its separate sovereignty and interest, retarded the public business,—marred many useful projects, and fomented a party spirit. After the surrender of Lord Cornwallis, in October 1781, some of the states were very remiss in sending forward their delegates to congress. When sent on, the concurrence of a number of states, constitutionally adequate to the transaction of business, was with great difficulty procured in many cases, where there was a clashing of local interests. After it was procured, its efficacy depended on the state assemblies. Their co-operation was frequently withheld, and they could not be coerced by any power whatever. The congress had no revenue in their own hands. Their powers extended no further than to borrow money or emit bills, on the credit of the United States. They had so far stretched these powers, especially that of emitting bills of credit, before the year 1781, when the articles of confederation were ratified, that little further reliance could be placed on either of them, as sources of supply. Though their powers were defective, they exerted them as far as the articles of confederation would bear them out. These extended no further, than to make requisitions on the several states for their quotas, to be ascertained in a relative proportion to the value of their lands.

A proposition was made to the several states, near to the close of the war, to invest congress with a power to levy an impost of five per cent. at the time and place of importation, on the value of all goods imported from foreign countries, till the whole of the public debt should be extinguished. Danger being nearly over, selfish passions began to operate. Objections were made to trusting the purse and the sword in the

hands of the same body of men, and that too, for an indefinite period of time. To obviate these scruples, congress, on a reconsideration, proposed to limit the grant of a continental impost to twenty-five years, and to confine the application of its net proceeds, exclusively to the discharge of existing debts. On these principles, a system of revenue for funding and ultimately paying the whole public debt was completed, and offered to the states for their ratification. By this, it was proposed to raise two millions and a half of dollars annually, to defray the interest of the continental debt. It was expected that the impost would bring in the first year one million of dollars, and increase every year afterwards. The states were respectively called upon to raise the balance, according to proportions assigned them, from some permanent established fund, subject to the disposal of congress.

A proposition was also made, to change the federal rule of apportioning the public debt from the value of land, to the more practicable one of numbers of inhabitants in the different states. The whole system was transmitted to the state legislatures, and accompanied by an animated address, enforcing the propriety of its immediate adoption. Some of the states adopted it in the whole; others only in part; and some not at all. The states whose population was great, and whose lands were of an inferior quality, objected to changing the federal rule for apportionment, from the value of lands to numbers. Some of the states, which, from their having convenient ports, were called importing states, found it to be more for their immediate advantage, to raise money by impost for their separate use, than for the benefit of the Union. They who received foreign goods through neighbouring states, and which were called consuming states, complained that by the revolution they had only changed masters; for that, instead of being taxed by Great Britain without their consent, they were virtually taxed in like manner by their sister states, who happened to be more favourably situated for importing foreign goods. From these jarring interests, and from the want of a disposition to support a supreme head, and to give up local advantages for the general benefit, the revenue sys-

tem of congress was never put into operation. Its failure was the source of many evils. No efficient funds being provided to pay the interest of the national debt, the public securities of the United States fell in their value, to ten for one, and became an article of speculation. The war-worn soldier, who received at the close of the contest only an obligation for the payment of his hard-earned dues, was, from necessity, often obliged to transfer his rights for an insignificant sum. The monied man, who had trusted his country in the hour of her distress, was deprived not only of his interest, on which he counted for his daily support, but of a great part of the value of his capital. The non-payment of public debts sometimes inferred a necessity, and always furnished an apology, for not discharging private contracts. Confidence between man and man received a deadly wound. Public faith being first violated, private engagements lost much of their obligatory force. General Washington nobly refused any thing for himself; but eloquently, though unsuccessfully, pleaded the cause of the army, and other public creditors, in his circular letter to the governors before his resignation, and predicted the evils which followed.

Congress continued to send forth annual requisitions, for the sums wanted for the public service, and indulged the hope that the states would ere long be convinced of the necessity of adopting an efficient system of general revenue; but their requisitions were disregarded by some of the states, and but partially complied with by others. From this failure of public justice, a deluge of evils overflowed the United States. These were also increased by an unfavourable balance of trade. The ravages of armies, and the interruption of a free communication between Europe and America, during the war, had multiplied the wants of the latter, to a degree which exceeded all previous calculations. An inundation of European manufactures was therefore one of the first effects which followed the establishment of peace. These were purchased by the Americans far beyond their means of payment. Adventurers, grasping at the profits of trading with the new-formed states, exported to America goods to a great amount,

exceeding what either prudence or policy could justify. The Americans soon found themselves involved in debts, to the discharge of which their resources were unequal. In several instances, these debts were contracted on credit, by persons to whom the United States were indebted. These, presuming on the justice of their country, had involved themselves in private engagements, hoping that what they received from the public would furnish them with the means of payment. Such were doubly distressed.

The sufferings of the inhabitants were increased in consequence of the obstructions of their trade. That intercourse with the West India Islands, from which, when colonies, they derived large supplies of gold and silver, was forbidden to them in their new capacity of independent states. Their fisheries received a severe check from their being excluded from several ports in which, when colonies, they had found a ready sale for the fruits of their industry, drawn from the ocean. These evils were still further aggravated, by the stoppage of the bounty on whale oil, to which, when British subjects, they were entitled. To add to their other misfortunes, they could no longer sail with safety in the Mediterranean, a privilege which they had always enjoyed, while they were a part of the British empire. Unable to defend themselves from the Algerine corsairs, they were obliged either to quit that beneficial trade, or insure it at a ruinous premium.

The United States, from the want of power in their common head, were incapacitated from acting in concert, so as to avail themselves of their natural advantages. Congress called once more upon the states to enlarge their powers, and particularly to entrust them with the regulation of commerce, for a limited number of years. Some states fully complied with this call; but others fettered their grants with such conditions as prevented the formation of an uniform system.

From the combined operation of these causes trade languished; credit expired; gold and silver vanished; and real property was depreciated to an extent equal to that of the depreciation of continental money, in the second or third year of its emission. Instead of imitating the wise policy of Great

Britain, in making an artificial medium of circulation, by funding their debts, several of the states, to alleviate the distresses arising from the want of money, adopted the fallacious expedient of emitting paper, to supply the place of gold and silver: but the remedy increased the disease. If the funding plan had been adopted, the public debt might have easily been made a public blessing. It would have been an honest and effectual substitute for real coin: but these advantages were lost by the imbecility of the general government, and the want of concert in the state legislatures.

When the people on the return of peace supposed their troubles to be ended, they found them to be only varied. The calamities of war were followed by another class of evils, different in their origin, but not less injurious in their consequences. The inhabitants, feeling the pressure of their sufferings, and not knowing precisely from what source they originated, or how to remedy them, became uneasy; and many were ready to adopt any desperate measures that turbulent leaders recommended. In this irritable state, a great number of the citizens of Massachusetts, sore with their enlarged portion of public calamity, were induced by seditious demagogues, to make an open resistance to the operations of their own free government. Insurrections took place in many parts, and laws were trampled upon by the very men whose deputies had enacted them, and whose deputies might have repealed them. By the moderation of the legislature, and especially by the bravery and good conduct of generals Lincoln and Shepherd, and the firmness of the well-affected militia, the insurgents were speedily quelled, and good order restored, with the loss of about six of the freemen of the state.

From the failure of their expectations of an immediate increase of political happiness, the lovers of liberty and independence began to be less sanguine in their hopes from the American revolution, and to fear that they had built a visionary fabric of government, on the fallacious ideas of public virtue; but that elasticity of the human mind which is nurtured by free constitutions, kept them from desponding. By an exertion of those inherent principles of self-preservation, which

republics possess, a recurrence was had to the good sense of the people, for the rectification of fundamental disorders. While the country, free from foreign force and domestic violence, enjoyed tranquillity, a proposition was made by Virginia to all the other states, to meet in convention for the purpose of digesting a form of government, equal to the exigencies of the Union. The first motion for this purpose was made by Mr. Madison: and he had the pleasure of seeing it acceded to by the states, and finally to issue in the establishment of a new constitution. This great change of the principle of government, amounting to little less than a revolution, was gradually accomplished.

Congress had no power to regulate trade. The state legislatures could regulate it as far as their particular states were concerned; but no farther. There was of consequence no uniformity of measures respecting it. The commerce of the United States was crippled by restrictions imposed by European powers; and there was no power granted, by the articles of confederation, to retaliate by counter regulations. This excited the sensibility of commercial men throughout the Union, and created an anxiety for the adoption of efficient measures for the protection of commerce. The idea became general, and was extended so as to comprehend the other defects of the existing system of government. A national concurrence was gradually obtained. While the individual states either neglected or refused to grant to congress competent powers for the regulation of trade, there was a meeting of commissioners from Virginia and Maryland, in 1785, at Alexandria. The object of their appointment was to form a compact, relative to the navigation of the rivers Potowmac and Pocomoke, and of the Bay of Chesapeake. Their deliberations led to a more extensive view of the subject, and gave birth to a meeting of commissioners, in the year 1786, at Annapolis; at which five states on or near the Chesapeake, were represented. The object was in a great measure confined to the navigation of that immense bay, which divides two states, and approaches three more. Some general system for the navigation of a bay, stretching three hundred miles into the

country, became necessary. The more the subject was examined, the greater the necessity appeared for extending the plan to a national system of commerce, and a radical reform of the articles of confederation. These commissioners, from the states adjacent to the Chesapeake, found themselves incompetent to do any thing efficient. They therefore broke up, without resolving on any thing further than to report facts to congress, and to the states which had appointed them. This was done in a letter, by their chairman, John Dickinson. On this report and statement of facts, congress founded a resolution: "That in their opinion it was expedient that, on the second Monday in May, 1787, a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to congress, and the several legislatures, such alterations and provisions therein, as shall, when agreed to in congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government, and the preservation of the Union." This resolution was submitted to the state legislatures, and by them approved and acted upon so far, that conformably to it they appointed their delegates to meet in Philadelphia, at the time prescribed. There were then, by common consent, at the same time, nominally two representative bodies, deliberating on national concerns; but with different views and in different places: the ordinary congress in New York, and the extraordinary convention in Philadelphia. Of the last, George Washington was appointed president.

After nearly four months deliberation with closed doors, they agreed on a plan of national government; but did not presume to impose it on their fellow citizens. They simply reported it to congress, "as the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of their political situation rendered indispensable;" and that in their opinion, "it should be submitted to a convention of delegates, chosen in each state, by the people thereof, under the recommendation of its legislature, for their assent and ratification." It was thus left optional with the

people to accept or reject it. Congress transmitted the proposed plan of a constitution to the state legislatures : and they ordered a general election of representatives, for the sole purpose of deliberating on its acceptance or rejection.

The fundamental distinction between the articles of confederation and the new constitution lies in this ; the former acted only on states, the latter on individuals ; the former could neither raise men nor money by its own authority, but was dependent on the discretion of thirteen different legislatures, and, without their unanimous concurrence, could not provide for the public safety, or for the payment of the national debt.

The experience of several years had proved the impossibility of a government answering the ends of its institution, which was dependent on others for the means necessary for attaining these ends. By the new constitution, one legislative, executive, and judicial power pervaded the whole Union. This ensured an uniform observance of treaties, and gave a stability to the general government, which never could be attained while the acts and requisitions of Congress were subject to the revision of thirteen legislatures, and while thirteen distinct and unconnected judiciaries had a constitutional right to decide on the same subject.

The people of the United States gave no new powers to their rulers ; but made a more judicious arrangement of what they had formerly ceded. They enlarged the powers of the general government, not by taking from the people, but from the state legislatures. They took from the latter the power of levying duties on the importation of merchandise from foreign countries, and transferred it to Congress, for the common benefit of the Union. They also invested the general government with a power to regulate trade, and levy taxes and internal duties on the inhabitants. That these enlarged powers might be used only with caution and deliberation, Congress, which formerly consisted of one body, was made to consist of two ; one of which was to be chosen by the people in proportion to their numbers, the other by the state legislatures. The executive power was committed to a supreme magistrate, with the title of President.

The constitution, of which these were the principal features, was submitted to the people for ratification. Animated debates took place on the propriety of establishing or rejecting it! Some states, which, from their local situation, were benefited by receiving impost duties into their treasuries, were unwilling to give them up to the Union. Others, which were consuming but not importing states, had an interested inducement of an opposite kind, to support the proposed new constitution. The prospects of increased employment for shipping, and the enlargement of commerce, weighed with those states which abounded in sailors and ships, and also with seaport towns, to advocate the adoption of the new system; but those states, or parts of states, which depended chiefly on agriculture, were afraid that zeal for encouraging an American marine, by narrowing the grounds of competition among foreigners, for purchasing and carrying their produce, would lessen their profits. Some of this description therefore conceived that they had a local interest in refusing the new system.

Individuals who had great influence in state legislatures, or who held profitable places under them, were unwilling to adopt a government which, by diminishing the power of the states, would eventually diminish their own importance: others, who looked forward to seats in the general government, or for offices under its authority, had the same interested reason for supporting its adoption. Some, from jealousy of liberty, were afraid of giving too much power to their rulers; others, from an honest ambition to aggrandize their country, were for paving the way to national greatness, by melting down the separate states into a national mass. The former feared the new constitution; the latter gloried in it. Almost every passion which agitates the human breast, operated on states and individuals, for and against the adoption of the proposed plan of government. Some whole classes of people were in its favour. The mass of public creditors expected payment of their debts, from the establishment of an efficient government, and were therefore decidedly for its adoption. Such as lived on salaries, and those who, being clear of debt, wished for a fixed medium of circulation, and the free course of law, were the friends of

a constitution which prohibited the issuing of paper money, and all interference between debtor and creditor. In addition to these, the great body of independent men, who saw the necessity of an energetic general government, and who, from the jarring interests of the different states, could not foresee any probability of getting a better one than was proposed, gave their support to what the national convention had projected, and their influence effected its establishment. After a full consideration, and thorough discussion of its principles, it was ratified by the conventions of eleven of the original thirteen states. The accession of the other two soon followed. The ratification of it was celebrated, in most of the capitals of the states, with elegant processions, which far exceeded any thing of the kind ever before exhibited in America.

The adoption of this constitution was a triumph of virtue and good sense, over the vices and follies of human nature. In some respects, the merit of it is greater than that of the declaration of independence. The worst of men can be urged on to make a spirited resistance to invasions of their rights : but higher grades of virtue are requisite to induce freemen, in the possession of a limited sovereignty, voluntarily to surrender a portion of their natural liberties ; to impose on themselves those restraints of good government, which bridle the ferocity of man, compel him to respect the claims of others, and to submit his rights and his wrongs to be decided upon by the voice of his fellow citizens. The instances of nations, which had vindicated their liberty by the sword, are many ; of those which made a good use of their liberty when acquired, are comparatively few. In this particular the Americans had learned wisdom from the mistakes of their English ancestors. The people of that gallant nation, about the middle of the seventeenth century, with their swords rescued their liberties from the hands of a tyrant king ; but formed no constitutional security, for their preservation. In less than twenty years, they bowed their necks unconditionally to the son of their late sovereign, whom they had brought to the block. Arbitrary power recommenced, and was carried on with a high hand :

and nothing but a revolution, or another civil war, could have prevented the rivetting of their chains.

To analyse this constitution, and explain how it combines law with liberty, energy with safety, the freedom of a small state with the strength of a great empire, would require a volume, and lead the author from the objects of history. It may, nevertheless, be remarked, that its tendency to promote justice is its most prominent feature. Two circumstances doubtless contributed to this useful trait in its character. The colonies were settled under the arbitrary reigns of the James's and the Charles's: and the cruelties exercised, under the colour of law, on subjects in that disgraceful period of English history were well known in America. The constitution was adopted at the close of the revolutionary war, in the course of which much legal iniquity had been practised. To guard against the repetition of similar evils, this honest constitution restrained all future legislators, by the solemn ties of oaths, from "emitting bills of credit; making any thing but gold or silver a tender in payment of debts; passing *ex post facto* laws, or laws impairing the obligation of contracts." It in like manner ordained that "no bill of attainder should be passed; that treason against the United States should consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort; and that no person should be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court." From the want of similar laws, much of the best blood in England had been formerly shed for trifles or venial offences, falsely called treason. There had been also a great wreck of property and much injustice committed in the United States. To correct faults is highly praiseworthy in individuals: but for sovereign states to prevent their recurrence, by constitutional prohibition, is truly magnanimous.

The new constitution having been ratified by eleven of the states, and senators and representatives having been chosen agreeably to the articles thereof, they met at New York, and commenced proceedings under it. The old congress and con-

federation, like the continental money, expired without a sigh or groan. A new congress, with more ample powers, and a new constitution, partly national and partly federal, succeeded in their place, to the great joy of all who wished for the happiness of the United States.

Though great diversity of opinions had prevailed about the new constitution, there was but one opinion about the person who should be appointed the supreme executive officer. The people, as well anti-federalists as federalists, for by these names the parties for and against the new constitution were called, unanimously turned their eyes on the late commander of their armies, as the most proper person to be their first president. Perhaps there was not a well-informed individual in the United States, Washington himself only excepted, who was not anxious that he should be called to the executive administration of the new government. Unambitious of further honours, he had retired to his farm in Virginia, and hoped to be excused from all further public service; but his country called him by an unanimous vote to fill the highest station in its gift. That honest zeal for the public good, which had uniformly influenced him to devote both his time and talents to the service of his country, got the better of his love of retirement, and induced him once more to engage in the great business of making a nation happy.

The intelligence of his election being communicated to Washington, while on his farm in Virginia, he set out soon after for New York. On his way thither, the road was crowded with numbers anxious to see the man of the people. Escorts of militia, and of gentlemen of the first character and station, attended him from state to state: and he was every where received with the highest honours which a grateful and admiring people could confer. Addresses of congratulation were presented to him, by the inhabitants of almost every place of consequence through which he passed; to all of which he returned such modest unassuming answers, as were, in every respect, suitable to his situation.

When Washington crossed the Delaware, and landed on the Jersey shore, he was saluted with three cheers by the inhabitants of the vicinity. Advancing to the brow of the hill,

on his way to Trenton, a triumphal arch was erected on the bridge, by the direction of the ladies of the place. The crown of the arch was highly ornamented with imperial laurels and flowers: and on it was displayed in large characters, *December 26th, 1776.* On the sweep of the arch beneath was this inscription: *The defender of the mothers will also protect their daughters.* On the north side were ranged a number of little girls dressed in white, with garlands of flowers on their heads, and baskets of flowers on their arms. In the second row stood the young ladies; and behind them the married ladies of the neighbourhood. The instant he passed the arch, the young girls began to sing the following ode:

“Welcome, mighty chief, once more,

“Welcome to this grateful shore:

“Now no mercenary foe

“Aims again the fatal blow,

“Aims at thee the fatal blow.

“Virgins fair and matrons grave,

“These, thy conquering arm did save,

“Build for thee triumphal bowers,

“Strew, ye fair, his way with flowers,

“Strew your Hero's way with flowers.”

As they sung the last lines, they strewed their flowers on the road before their beloved deliverer. His situation on this occasion, contrasted with what he had felt on the same spot, in December, 1776, when the affairs of America were at the lowest ebb of depression, filled him with sensations that cannot be described. He was met by a committee of congress, in New Jersey, who conducted him to Elizabeth Town Point, where he embarked for New York, in an elegant barge of thirteen oars, manned by thirteen branch pilots. On landing in New York, he was conducted with military honours to the apartments provided for him. There he received the congratulations of great numbers, who pressed round him to express their joy on seeing the man who possessed the love of the nation, at the head of its government. The 30th of April was fixed for his taking the oath of office, which is in the following words: “I do solemnly swear that I will faithfully execute the office of president of the United States, and will to the best of my ability preserve, protect, and defend the

constitution of the United States." This was administered by R. R. Livingston, the chancellor of the state of New York, in the presence of both branches of the national legislature, and an immense concourse of citizens. An awful silence prevailed among the spectators. It was a minute of the most sublime political joy. The chancellor then proclaimed him president of the United States; and was answered by the discharge of thirteen guns, and by the effusion of shouts, from ten thousand grateful and affectionate hearts. The president, after bowing respectfully to the people, retired to the senate chamber, where he addressed both houses, with the appellation of "Fellow Citizens of the Senate and House of Representatives," in an impressive speech; in which, with his usual modesty, he declared his "incapacity for the mighty and untried cares before him;" and offered his fervent supplications "to the Almighty being, whose providential aids can supply every human defect, that his benediction would consecrate, to the liberties and happiness of the United States, a government instituted by themselves, for those essential purposes; and that he would enable every agent, employed in its administration, to execute with success the functions allotted to his charge." He also declared, "that no truth was more thoroughly established, than that there exists an indissoluble union between virtue and happiness; between duty and advantage; between the genuine maxims of an honest and magnanimous people, and the solid rewards of public prosperity and felicity: and that the propitious smiles of heaven could never be expected on a nation that disregarded the eternal rules of order and right, which heaven itself had ordained."

After making some personal observations, that in conformity to the principle he adopted, when made commander in chief of the army, to renounce all pecuniary compensation, "he declined, as inapplicable to himself, any share in the personal emoluments included in a permanent provision for the executive department," and prayed "that the pecuniary estimates for the station in which he was placed, should, during his continuance therein, be limited to such actual expenditures as the public good might be thought to require." He then

took his leave; "but not without resorting, once more, in humble supplication, to the benign Parent of the human race, that since he had been pleased to favour the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity, on a form of government, for the security of their union, and the advancement of their happiness, so his divine blessing might be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures, on which the success of the government must depend."

The old congress* and the articles of confederation between

* The following is an alphabetical list of all the members, who composed that body, at any time between its commencement in 1774, and its termination in 1789.

NEW HAMPSHIRE.

Atkinson George,

Bartlet Joseph,

Blanchard Jonathan,

Folsom Nathaniel,

Frost George,

Foster Abiel,

Gilman John Taylor,

Gilman Nicholas,

Livermore Samuel,

Long Pierce,

Langdon John,

Peabody Mr.

Sullivan John,

Thornton Matthew,

Whipple William,

Wentworth Mr.

Woodbury Mr.

White Mr.

Wingate Pain.

MASSACHUSETTS.

Adams Samuel,

Adams John,

Cushing Thomas,

Dana Francis,

Dane Nathan,

Gerry Elbridge,

Gorham Nathaniel,

Hancock John,

Holton Samuel,

Higgenson Stephen,

Jackson Jonathan,

King Rufus,

Lovell James,

Lowell John,

Osgood Samuel,

Otis Samuel Allyn,

Paine Robert Treat,

Partridge George,

Sedgwick Theodorus,

Ward Artemus.

RHODE ISLAND.

Arnold Jonathan,

Arnold Peleg,

Collins John,

Cornell Ezekiel,

Ellery William,

Gardner Joseph,

Hopkins Stephen,

Howell David,

Hazard Jonathan,

Marchant Henry,

Moury Mr.

Manning James,

Miller Nathan,

Varnum James M.

Ward Samuel.

the states were now no more ; for the organization of the new constitution, on that memorable day, superseded them both.

CONNECTICUT.

Adams A.
Cook Joseph Platt,
Dyer Eliphalet,
Deane Silas,
Elsworth Oliver,
Edwards Pierpoint,
Huntington Samuel,
Huntington Benjamin,
Johnson William Samuel,
Law Richard,
Mitchell Stephen Mix,
Root Jesse,
Sherman Roger,
Spencer Joseph,
Sturges Jonathan,
Wolcott Oliver,
Williams William,
Wadsworth Jeremiah.

NEW YORK.

Alsop John,
Boerum Simon,
Benson Egbert,
Duane James,
Duer William,
Floyd William,
Gansevoort Leonard,
Gelston David,
Hering John,
Hamilton Alexander,
Jay John,
Livingston Philip,
Low Isaac,
Lewis Francis,
Livingston Robert R.
L'Hommedieu Ezra,
Lansing John, jun.,
Livingston Walter,
Lawrence John,
Morris Gouverneur,
M'Dougall Alexander,
Paine Ephraim,
Platt Zephaniah,

Pell Philip,
Scott John Morin,
Schuyler Philip,
Smith Melancton,
Wisner Henry,
Yates Peter W.
Yates Abraham, jun.

NEW JERSEY.

Boudinot Elias,
Burnet W.
Beatty John,
Crane Stephen,
Clarke Abraham,
Cooper John,
Condict Silas,
Cadwallader Lambert,
Dehart John,
Dayton Jonathan,
Elmer Jonathan,
Fell John,
Frelinghausen Frederick,
Hart John,
Hopkinson Francis,
Houston William Churchhill,
Hornblower Josiah,
Kinsey James,
Livingston William,
Smith Richard,
Sergeant Jonathan D.
Scudder Nathaniel,
Stephens John,
Symmes John C.
Schureman James,
Witherspoon John.

PENNSYLVANIA.

Atlee Samuel,
Armstrong John,
Armstrong John, jun.
Biddle Edward,
Bayard John,
Bingham William,
Clymer George,
Clingan William,

By this establishment, the present generation has an opportunity of observing the result of an experiment in politics,

Coxe Tench,
 Dickinson John,
 Duffield Samuel,
 Franklin Benjamin,
 Fitzsimons Thomas,
 Gardner Joseph,
 Galloway Joseph,
 Humphrey Charles,
 Hand Edward,
 Henry William,
 Ingersol Jared,
 Jackson David,
 Irvine William,
 Mifflin Thomas,
 Morton John,
 Morris Robert,
 M'Clene James,
 Matlack Timothy,
 Montgomery Joseph,
 Morris Cadwallader,
 Meredith Samuel,
 Peters Richard,
 Pettit Charles,
 Roads Samuel,
 Ross George,
 Roberdeau Daniel,
 Reed Joseph,
 Reed James R.
 Rush Benjamin,
 Smith Jonathan B.
 Searle James,
 Shippen William,
 St. Clair Arthur,
 Wilson James,
 Wynkoop Henry.

DELAWARE.

Bedford Gunning, jun.
 Dickinson John,
 Dickinson Philemon,
 Kearney Dyre,
 M'Kean Thomas,
 M'Comb Eleazer,
 Mitchell Nathaniel,

Patton John,
 Perry William,
 Rodney Cæsar,
 Rodney Thomas,
 Sykes James,
 Tilton James,
 Van Dyke Nicholas,
 Vining John,
 Wharton Samuel.

MARYLAND.

Alexander Robert,
 Chase Samuel,
 Carrol Charles of Carrolton,
 Carrol Daniel,
 Contee Benjamin,
 Forbes James,
 Forrest Uriah,
 Goldsborough Robert,
 Henry John,
 Hanson John,
 Hemsley William,
 Hindman William,
 Harrison William,
 Howard John E.,
 Johnson Thomas,
 Jenifer Daniel of St. Thomas,
 Lee Mr.
 Lloyd Edward,
 M'Henry James,
 Paca William,
 Plater George,
 Potts Richard,
 Rumsey Benjamin,
 Ramsay Nathaniel,
 Ross David,
 Smith William,
 Stone Thomas,
 Steney Joshua,
 Tilghman Matthew,
 Wright Mr.

VIRGINIA.

Adams Thomas,
 Bland Richard,

which before had never been fairly made. The experience of former ages had given many melancholy proofs, that popular

Braxton Carter,
Banister Mr.
Bland Theodorick,
Brown John,
Carrington Edward,
Dawson John,
Fleming William,
Fitzhugh Mr.
Griffin Cyrus,
Grayson William,
Henry Patrick,
Harrison Benjamin,
Harvie Mr.
Heney James,
Hardy Samuel,
Jefferson Thomas,
Jones Joseph,
Lee Richard Henry,
Lee Francis Lightfoot,
Lee Arthur,
Lee Henry,
Madison James, jun.
Mercer James,
Mercer John Francis,
Monroe James,
Nelson Thomas,
Page Mann,
Pendleton Edmund,
Randolph Edmund,
Randolph Peyton,
Smith Merriwether,
Walker John,
Washington George.

NORTH CAROLINA.

Ashe John Baptist,
Bloodworth Timothy,
Blount William,
Burke Thomas,
Burton Robert,
Caswell Richard,
Cumming William,
Harnett Cornelius,

Ramsay. VOL. III.

Hawkins Benjamin,
Hewes Joseph,
Hill Whitmel,
Hooper William,
Johnston Samuel,
Jones Allen,
Jones Willie,
Nash Abner,
Penn John,
Sharpe William,
Sitgreaves John,
Spaight Richard Dobbs,
Swann John,
White James,
Williams Mr.
Williamson Hugh.

SOUTH CAROLINA.

Barnwell Robert,
Bee Thomas,
Beresford Richard,
Bull John,
Butler Pierce,
Drayton William Henry,
Eveleigh Nicholas,
Gadsden Christopher,
Gervais Lewis John,
Heyward Thomas,
Huger Daniel,
Hutson Richard,
Izard Ralph,
Kean John,
Kinloch Francis,
Laurens Henry,
Lynch Thomas,
Matthew John,
Middleton Arthur,
Middleton Henry,
Motte Isaac,
Parker John,
Pinckney Charles,
Rutledge Edward,
Rutledge John,

governments seldom answered, in practice, to the theories and warm wishes of their admirers. The inhabitants of independent America have an opportunity to wipe off this aspersion, and to assert the dignity of human nature, and the capacity of mankind for self-government.

Citizens of the United States! if you be not happy, it will be your own fault. No knave or fool can plead an hereditary right to sport with your property or your liberties. Your laws and your lawgivers must all proceed from yourselves. You have the experience of nearly six thousand years, to point out the rocks on which former republics have been dashed to pieces. Learn wisdom from their misfortunes. Cultivate justice, both public and private. No government will or can endure, which does not protect the rights of its subjects. Unless such efficient regulations be established, as will secure property as well as liberty, one revolution will follow another. Anarchy, monarchy, or despotism, will be the consequence. Such are the resources of your country, that proper systems will soon fill your extensive territory with inhabitants, and give you the command of such ample capitals, as will enable you to run the career of national greatness, with advantages equal to the oldest kingdoms of Europe. What they have

Ramsay David,
Read Jacob,
Trapier Paul,
Tucker Thomas Tudor.

GEORGIA.

Baldwin Abraham,
Few William,
Gibbons William,
Habersham John,

Hall Lyman,
Houston William,
Howley Richard,
Jones N. Wimberly,
Langworthy Edward,
Pierce William,
Telfair Edward,
Walton George.

Presidents of Congress, from 1774 till 1789.

Peyton Randolph,
Henry Middleton,
John Hancock,
Henry Laurens,
John Jay,
Samuel Huntington,
Thomas M'Kean,

John Hanson,
Elias Boudinot,
Thomas Mifflin,
Richard Henry Lee,
Nathaniel Gorham,
Arthur St. Clair,
Cyrus Griffin.

been slowly growing to, in the course of nearly two thousand years, you may hope to equal within one century. If you continue under one government, built on the solid foundations of public justice, and public virtue, there is no point of national greatness to which you may not aspire, with a well-founded hope of speedily attaining it. Cherish and support a reverence for government, and cultivate union between the East and the South, the Atlantic and the Mississippi. Let the greatest good of the greatest number be the pole star of your public and private deliberations. Shun wars; they beget debt, add to the common vices of mankind, and produce others, which are almost peculiar to themselves. Agriculture, manufactures, and commerce are your proper business. Seek not to enlarge your territory by conquest. It is already sufficiently extensive. You have ample scope for the employment of your most active minds, in promoting your own domestic happiness. Maintain your own rights; and let all others remain in quiet possession of theirs. Avoid discord, faction, luxury, and the other vices which have been the bane of commonwealths. Cherish and reward the philosophers, the statesmen, and the patriots, who devote their talents and time, at the expense of their private interests, to the toils of enlightening and directing their fellow citizens; and thereby rescue citizens and rulers of republics, from the common and too-often-merited charge of ingratitude. Practise industry, frugality, temperance, moderation, and the whole lovely train of republican virtues. Venerate the plough, the hoe, and all the implements of agriculture. Honour the men who with their own hands maintain their families, and raise up children inured to toil, and capable of defending their country. Reckon the necessity of labour not among the curses, but the blessings of life. Your towns will probably ere long be engulfed in luxury and effeminacy. If your liberties and future prospects depended on them, your career of liberty would probably be short; but a great majority of your country must, and will be yeomanry, who have no other dependence than on Almighty God, for his usual blessing on their daily labour. From the great excess of the number of such independent farmers in these states,

over and above all other classes of inhabitants, the long continuance of your liberties may be reasonably presumed.

Let the hapless African sleep undisturbed on his native shore; and give over wishing for the extermination of the ancient proprietors of this land. Universal justice is universal interest. The most enlarged happiness of one people, by no means requires the degradation or destruction of another. There is territory enough for them and for you. Instead of invading their rights, promote their happiness, and give them no reason to curse the folly of their fathers, who suffered yours to sit down on a soil, which the common parent of both had previously assigned to them. Diffuse the means of education, and particularly of religious instruction, through your remotest settlements. Support and strengthen the hands of public teachers, and of worthy clergymen. Let your voluntary contributions confute the dishonourable position, that religion cannot be supported but by compulsory establishments. Remember that there can be no political happiness without liberty; that there can be no liberty without morality; and that there can be no morality without religion.

It is now your turn to figure on the face of the earth, and in the annals of the world. You possess a country, which, in less than a century, will probably contain fifty millions of inhabitants. You have, with a great expense of blood and treasure, rescued yourselves and your posterity from the domination of Europe. Perfect the good work you have begun; and, by the blessing of Heaven, make the American Revolution an era in the history of the world, distinguished by the great and progressive increase of human happiness!

CHAPTER XXXII.

Domestic Relations—Public Debt—Funding System—Bank of the United States—Origin of Parties—Insurrection in Pennsylvania—Its suppression.

THE form of government, recently adopted by the United States, went into operation under great advantages. The personal character of the President had a decided influence, in awing the turbulent, repressing the factious, and conciliating all virtuous citizens to the support of good morals and orderly government. The recollection of the many evils, which, for several years, had afflicted the citizens, from the want of union, system, and energy, in the administration of their public affairs, weighed with all who loved their country, to give their influence to the support of the new establishment. The constitution was deemed, by a great majority of the enlightened, virtuous citizens, to be an improvement on all former systems. It was not imposed by the ruffian hand of conquest. It flowed from the people; was their own work. Its provisions were digested by their best men, freely chosen; and its acceptance was their own solemn deliberate act. From such a constitution, administered by such a man as Washington, a melioration of their circumstances was generally and confidently expected.

The constitution contained, within itself, a radical remedy for many of the evils, under which the country had, for some time, laboured. The commerce of the United States had been cramped, from the want of power to regulate it, on an uniform principle. The inability of the citizens to pay their debts, and their want of credit, had arisen, not so much from the want of means, as from the incompetency of the old system, to draw forth the resources of the country. The distrust which prevailed among the people, respecting the punctual fulfilment of contracts, arose from the powers claimed, and,

in too many instances, exercised by the state legislatures, for impairing the obligation of contracts ; for making paper money a legal tender, for the discharge of specie debts ; and for passing laws, which interfered between debtors and creditors. These prolific sources of evil were completely done away by the new constitution. From its adoption, and the expected vigorous administration of it, by the virtuous and enlightened President, it became the duty of every state to legislate wisely, and the interest of every citizen to be honest and industrious. The experience of several past years had proved, that liberty without law, or efficient government, could not make a nation happy. The new order of things proved, that a combination of both was requisite, to stimulate men to industry, and to draw forth their energies.

The great capacities of the constitution, for promoting public happiness, and removing national evils, had ample scope for exercise. The treasury was empty. There was an immense sum of floating debt, for which no provision had been made. Commerce was cramped, both by the legislative acts of Christian, and the depredations of infidel powers. The Indians, both on the north western and southern frontiers, were in a state of hostility. Serious disputes existed, between the United States and Great Britain, on the north, and also with Spain, on the south. A great revolution had commenced in France, which, in its progress, involved not only the kingdoms of Europe, but the states of America, in serious difficulties. These objects pressed on the United States, in their foreign relations. At home, a respectable minority, opposed to the new constitution, was to be conciliated ; and many of the citizens, whose morals had been unhinged, by the convulsions of a revolution, and whose principles had been tainted, by a feeble government, incapable of coercing the selfish and refractory, were to be taught to bridle their passions, and submit to the restraints of law.

To replenish the empty treasury of the United States, was the first object of legislative attention. Recourse was immediately had to duties, levied on goods, wares, and merchandise, imported into the United States, and on the tonnage of

vessels. The old congress had long applied to the several states, for leave to collect import duties, for the general benefit of the union ; but, as the consent of all the states could not be obtained, this source of revenue was either unimproved, or improved for the particular advantage of individual states. Under these circumstances, the collection of import duties was a source of discontent to the states, which did not directly import for themselves. As the consumers pay all duties, these were virtually taxed by their neighbours, who were more fortunately situated with respect to ports. So great were the jealousies of the importing states, that they were afraid to make a full use of this source of revenue, from an apprehension, that it would drive trade from them to their neighbours, who were disposed to burden it less. The experience of a few years proved, that import duties, regulated by one will, and collected on an uniform principle, from the time when a system, for that purpose, was first proposed by congress, would have afforded the means of preventing a great part of the pecuniary distress, which took place in the United States, anterior to the establishment of their new constitution. From the latter period, it was a plentiful source of supply, and constantly increasing. It was easily collected ; and, at the same time, the collection of it, on a general principle, removed all uneasiness between importing and non-importing states. For it was of no consequence where the duty was paid ; since, wherever paid, it was applied for purposes equally beneficial to every part of the union.

In September, 1789, the house of representatives passed two resolutions, highly consolatory to the creditors of the public. One declared, "that the house considered an adequate provision, for the support of public credit, as a matter of high importance, to the national honour and prosperity." The other "directed the secretary of the treasury, to prepare a plan for that purpose, and to report the same to the house, at its next meeting."

On the 9th of January, 1790, Alexander Hamilton, secretary of the treasury, agreeably to order, reported to the house

of representatives, a plan for the support of public credit. This was eloquent, argumentative, and, at the same time, judicious, and practical. It embraced a variety of matter tending to the establishment of a system, for funding the public debts, both of the United and individual States. With great perspicuity and energy, the secretary pointed out the political advantages of credit; the moral obligations, incumbent on public bodies, as well as individuals, to perform their contracts; that the debt of the United States was the price of their liberty; that, if properly funded, it would answer many of the purposes of money, and invigorate the operations of agriculture, commerce, and manufactures. After premising a variety of arguments, in support of these opinions, he proceeded to discuss the principles, on which he proposed to found a system, for the support of public credit. He observed, that the foreign debt should be provided for, according to the precise terms of the contract; but hinted, that domestic creditors should, for their own sakes, voluntarily agree to abate something of what rigid justice gave them a right to demand, lest, by overstraining the faculties of the nation, they might meet with disappointment, from the inability of the states, to make complete, immediate, and punctual payment, of the full amount of the current interest. He therefore proposed a choice of several plans; either to fund the whole, at four per cent., or two-thirds, at six per cent.; and the other third, to be payable in vacant lands, or deferred altogether, and without interest, for ten years. He examined, with great ability, the propriety of discriminating between original holders, and subsequent purchasers; and decided against all discrimination, as involving a breach of public faith, since the evidences of the debt were at all times negociable. He, in like manner, contended, that the proposed funding system should embrace the debts of the individual states, as well as of the union; since they were contracted, in a common cause, for defence against a common enemy. That the consent of the subscribers should be voluntary, he proposed, that the same provisions should be made, for those public creditors, who did not come into the proposed modification of debt, as for those who did.

These propositions, and the principles of the funding system in general, gave birth to animated discussions. The most important of these, and which produced the most extensive effects, was an amendment proposed by Mr. Madison; the end of which was, to discriminate between the public creditors, so as to pay the present holder of assignable paper, the highest price it had borne in the market, and give the residue to the person with whom the debt was originally contracted. Where the original creditor had never parted with his claim, he was to receive the whole. This amendment produced a great display of eloquence, on both sides. All the purchasers of the debt were opposed to it, and also a great majority of those, who conceived, that both policy and honesty required a liberal fulfilment of contracts. As it contemplated no reduction of the debt, in favour of the United States, it met with no patronage from those, who wished to take advantage of the existing depreciation, to lighten the public burdens. The proposition was rejected; but its rejection excited the hostility of many to the funding system, and even to the government. The case of those who, from necessity, had sold the evidences of their demands, at a depreciated rate, was a hard one; but to relieve them, at the expense of public faith, equally pledged to the purchaser, as to the original holder, was not to be expected. The imbecility of the old government was the cause of their misfortunes. To attempt their relief, by an act which would tarnish the spotless reputation of the new, would have been highly injurious to reviving credit.

That part of the secretary's report, which contemplated the assumption and funding of the debts of the individual states, in common with the proper debt of the union, was opposed and supported with great ability. In opposition, it was contended, that the general government would acquire an undue influence, and the states become cyphers; that the assumption was not constitutional; that it would impose an undefined burden, beyond the ability of the United States to pay, without an extreme extension of taxation; that the debt would, from its magnitude, be perpetuated, and its credit and value diminished.

In favour of the assumption it was urged, that the revolutionary war was not that of a particular state, but of the United States ; that the contest was not for the liberty and independence of a part, but of the whole ; that all expenses incurred were directed to one and the same object ; that making provision for one species of a common debt, and not for another, equally deserving, would sow the seeds of discord between the citizens and the states.

The objection to the assumption of an unascertained sum of state debts was done away, by limiting their amount to twenty-one millions and a half of dollars, in the whole, and by excluding every certificate, issued for any other purpose, than the defence of the United States, or some part thereof, in the revolutionary war. The prospect of the seat of government being transferred, from the more northern maritime cities, to the banks of the Potowmac, had some influence in deciding this question. For, by coupling the assumption of the state debts, with a ten years' temporary residence of congress at Philadelphia, anterior to their permanent residence on the Potowmac, the friends of the assumption received an accession of strength, which gave them a small majority.

So much of the secretary's report, as recommended, that congress should voluntarily relinquish their right of paying off their whole debt, at pleasure, as a compensation to the public creditors, for relinquishing a part of their claims on the public, was warmly contested. In support of it, the friends of the system urged, that it would raise the value of the debt ; as it was well known, that monied men preferred durable stock, to that which might, at any moment, be annihilated by payment ; that, as the proposed measure benefited the creditors, without increasing the public debt, it should be adopted, as a small equivalent, for their relinquishment of part of their just claims. The opposers of the measure were apprehensive of danger from a permanent debt, which would become a constant drain of specie, from the United States. After an animated debate, the resolution, for making the debt irredeemable, without the consent of the creditor, otherwise than in small specified proportions, was carried.

A bill, in the year 1790, passed both houses, for funding the public debt, on principles satisfactory to the public creditors, though they considerably lessened the public burdens: for part of the debt was funded at three per cent.; on another part, the accruing of interest was deferred, for ten years; and on none, was more than six per cent. to be, at any time, paid. Ample funds were provided, for discharging the interest, and for the final extinction of the principal. The assumption of the state debts made additional revenue necessary. By way of equalizing the public burdens, between the sea coast, where imported articles were chiefly used, and the western settlements, which, for the most part, depended on native commodities, for necessary supplies, the secretary of the treasury recommended the imposition of duties, on domestic distilled spirituous liquors. This, added to the daily increasing revenue, arising from impost and tonnage, afforded ample means for the support of public credit.

As a mean, conducive to the easy and prosperous administration of the financial system, the secretary of the treasury strongly recommended the establishment of a national bank. This was strenuously opposed. Some objected to the utility of all banking establishments. Others to the plan of the one proposed; but mostly to the right of congress, to pass an act for incorporating a national bank. It was conceded on all sides, that a power for this purpose was not expressly given by the constitution. The argument turned on its being implied, by a fair construction of the general clause, subjoined to the enumerated powers of congress, expressed in these words: "To make all laws which shall be necessary and proper, for carrying into execution the foregoing powers." One party contended, that a national bank was necessary and proper, to carry into effect the acknowledged power of congress, "to lay and collect taxes, duties, imposts, and excises." The other acknowledged its convenience; but denied its necessity. A profusion of verbal and metaphysical criticism was displayed, in distinguishing between the highest grade of convenience, and the lowest grade of necessity; and between what was necessary, in the popular sense of that word, and what,

in strictness of speech, was indispensably so. On this subject, congress and the cabinet were divided. After the law had passed both branches of the legislature, Washington, who was extremely cautious of infringing the constitution, required, from the heads of departments, their opinions on the subject, with their reasons for the same. After receiving their opinions, weighing their reasons, and examining the subject, in all its relations, he deliberately made up his mind, under the guidance of that common sense, for which he was remarkable, in favour of the constitutionality of the law; and, accordingly, gave it the sanction of his name.

The capital of the bank, thus established, was ten millions of dollars, in shares of 400 dollars each, to be paid by successive instalments. In two hours after the books of subscription were opened, by the commissioners appointed to receive them, the whole number of shares was taken up; and 4000 more offered, than could be received, by the terms of the charter. The rights acquired by the subscribers to the national bank were in such demand, that they rose, in a short time, to 200 dollars advance, on the trifling sum of 25 dollars, which was the whole of the first payment. Branches of this institution were established, in most of the principal seaports of the United States, under the name of Offices of Discount and Deposit, in which all the revenues of the United States were deposited. These facilitated the payment of duties, and, as they all communicated with the parent bank, in Philadelphia, then the seat of government, very much expedited the financial operations of the treasury department. Such were the effects of the new order of things, that the measures recommended by Hamilton, and adopted by congress, particularly the funding system, had a decided influence, in favour of the United States. By it, the debts of the revolutionary war were converted into a species of wealth. Public paper, which had previously sunk to eight for one, rapidly rose to par. The funded stock answered so many of the purposes of money, that agriculture and commerce were invigorated by it, to a degree equal to what would have resulted, from the introduction, and free circulation of an equivalent sum of Mex-

ican dollars. A great amelioration, in the circumstances of the citizens, became immediately visible. The money in circulation, antecedently, was so far short of a sufficiency, to represent the value of commodities, daily bought and sold, that a ruinous depreciation of property had taken place. This was increased, by the want of confidence, which generally prevailed. Both evils were remedied by the funding system. Money, credit, confidence, and an increased value of property, were its immediate consequences. From the termination of the revolutionary war, to this period, the United States had gone backward, in national character. The high reputation, which the citizens had acquired, from their successful struggles, in their country's cause, was tarnished. So rapid a transition, from a state of depression to that of exaltation, had seldom before taken place. The difference between an efficient and inefficient government, was never more apparent.

These great public blessings were not without alloy. The germ of party spirit, bearing deadly fruit, was planted in, and grew out of this state of things, which yielded so plentiful a harvest of national blessings. The immense wealth which individuals acquired, by the appreciation of property, and particularly of public paper, made them objects of envy. Their jealous fellow citizens saw, in them, the embryos of a future nobility. While the friends of Hamilton, and those benefited by the adoption of his plans, adored him as the financial saviour of the United States, others reviled him as the friend of monarchy, who wished to bestow on the government an artificial strength, by the creation of a monied interest, subservient to its will. These suspicions were strengthened from the following circumstances. In the convention which framed the constitution, he had advocated the propriety of electing a President, and a Senate, during good behaviour. His plans of finance were, in some degree, copied from British institutions. Comparisons were made between the situation of the United States, and that period of English history, when king William ascended the throne; after which, influence was substituted for prerogative. The rejection of the proposed discrimination, in favour of original holders, disgusted all who had sold their

claims. From these and similar sources, a numerous and powerful party arranged themselves in opposition to the system adopted by government. These considered themselves as the exclusive patriots of the day, and the only safeguards of the liberties of the people ; while their opponents were pronounced aristocrats, friendly to a government so energetic, as to approximate to monarchy. At the very time the country was enjoying unexampled prosperity, from the wise administration of an efficient government, and particularly from an established system of public credit, the author, friends, and abettors thereof, were loaded with the execrations of a great proportion of their fellow citizens.

These murmurs had an unhappy effect, in encouraging a criminal resistance to the laws, imposing a duty on spirituous liquors, distilled within the United States. This duty was peculiarly obnoxious to the inhabitants of Pennsylvania, who live on the western side of the Alleghany mountains. Their inland situation made it much more convenient and profitable to distil, than export the products of the soil ; to prepare at home, than to import from abroad, some poignant addition to the beverage of nature. They had opposed the adoption of the constitution ; and many of their influential men were particularly hostile to the recently-adopted system of finance. When they found that the excise was publicly censured, as unnecessary and tyrannical ; that a powerful party considered the new system of finance, as hostile to liberty ; and that its author and abettors were charged with designs, to pave the way for monarchy, by undermining the republican institutions of the country, they were gradually led to think less of the evil tendency of combinations, to resist the laws for imposing duties on domestic distilled spirituous liquors, and even to hope that such combinations might be influential in procuring their repeal.

The opposition began by propagating opinions, that excise laws were universally hostile to liberty, and by directing the public resentment, against all who were willing to comply with them ; and particularly against the officers, employed in collecting duties imposed by them. In September 1791, a meeting of delegates, from the malcontents, took place in Pittsburg ;

in which all who should obey, or execute the law, were proscribed as enemies to their country. The deputy marshal was intimidated from serving process, on those who had committed acts of violence, on the persons of revenue officers. The first care of government was, to do away all real grievances. The excise act was carefully revised in May, 1792; and such parts, as, on a review, or from experience, had been found exceptionable, were altered, so as to obviate objections which appeared reasonable. The opposition to the law, nevertheless, continued without abatement. The principle of excise, and not the detail of its execution, was the object of hostility. A second meeting was held at Pittsburg; in which resolutions were adopted, for resisting the execution of the law, by every legal measure; for withholding all intercourse with those who held offices, for collecting the excise; and for treating them, on all occasions, with contempt. The people at large were exhorted to follow the same line of conduct; committees of correspondence were appointed, to give unity of system to their measures; and pains were taken to increase the number of their associates.

The President was indignant at the outrage offered to the government; but respected the constitution and laws so much, that he confined himself within the narrow limits, which they prescribed. The attorney general inclined to the opinion, that the resolutions at Pittsburg did not constitute an indictable offence. The President did not think himself warranted in ordering out the militia, and, therefore, contented himself with issuing a proclamation, exhorting and admonishing all persons, to desist from any combinations or proceedings whatever, tending to obstruct the execution of the laws, and requiring the interference of the civil magistrates. Prosecutions were also directed to be commenced, in every case, in which they could be supported. This proclamation did not answer any valuable purpose. Many of the magistrates were accessory to the excesses, they were required to suppress.

To prevent a recurrence to a military force, a system was adopted, to operate on the interests of the malcontents. Spirituous liquors, distilled in the refractory settlements, were

intercepted on their way to market, and seized by the officers of the revenue. The agents for the army were directed to purchase only those spirituous liquors, on which the duty had been paid. This produced some good effect; but the moderate, who wished to return to their duty, had it not in their power; for so great was the force and violence of the opposition, that the well-disposed found it more dangerous to obey, than to resist the laws. From the steady policy and moderation of government, the malcontents saw, that they would eventually lose a market for their distilled spirituous liquors, and incur heavy penalties for non-compliance; and therefore began to fear, that their opposition would be abortive, unless, by a bolder line of systematic opposition, they could deprive government of the means it employed, for carrying the law into execution.

On the 15th of July, 1794, the marshal, while in the execution of his duty, was beset on the road, by a body of armed men, who shot at him. On the next day, the insurgents, to the number of five hundred, attacked the house of the inspector. He had obtained, from the garrison at fort Pitt, a detachment of eleven men, for his security. They were all called upon, by the insurgents, to march out, and ground their arms. This being refused, an assault commenced. The assailants set fire to several adjacent buildings. The fire being likely to be communicated to the dwelling house, the party came out of it, and surrendered. The insurgents violently stopped the public mail, from Pittsburg to Philadelphia, and took out the letters. This was done to ascertain, who were opposed to their views. The end was answered; for, in several of the letters, thus intercepted, the writers had reflected with severity on the violent measures, lately adopted. To get rid of secret enemies, as the writers of these letters were called, they were ordered to quit the country; and were compelled to obey. The insurgents openly avowed their intention, to resist, with force of arms, the authority of the United States; and, thereby, to extort a repeal of the excise law. The crisis was now come, when the government had no choice, but to subdue, or submit to the insurgents. Before the President

could call out the militia, to enforce obedience to the laws, it was necessary for an associate judge, or the judge of the district, to certify, "that the laws of the United States were opposed, or their execution obstructed, by combinations, too powerful to be suppressed, by the ordinary course of judicial proceedings, or by the powers vested in the marshals." The requisite certificate was readily granted. The governor of the state was consulted, who concurred with the President, and his cabinet, in the policy of appointing commissioners, both from the Union and the state of Pennsylvania, who should warn the insurgents of their danger, and offer them a full pardon for past offences, on their submission to the laws. But as to the mode and degree of coercion, to be exercised on the insurgents, there were different opinions. The governor of Pennsylvania doubted the competency of the militia of the state, to quell the insurrection. Others feared, that the introduction of militia, from other states, would increase the discontents, prevailing in Pennsylvania, or that they would not act with vigour, against their fellow citizens. Some seriously apprehended, that coercive means would fail, in restoring tranquillity, and that the consequences of failure would be ruinous; or that a civil war would pervade the Union, and involve the destruction of many lives. The President conceived himself bound, by the most solemn obligations of duty, to see "that the laws be faithfully executed." In this, he was supported by a majority of his cabinet, and also in the opinion, that policy and humanity equally required the employment of an army, sufficient to render resistance desperate. The utmost force the insurgents could bring into the field, was calculated at 7,000 men. In conformity to the wise and judicious determination, to employ an adequate force, a requisition was made on the governors of Jersey, Pennsylvania, Maryland, and Virginia, for their respective quotas of militia, to compose an army of 15,000 men.

On the 7th of August, the President issued the proclamation, required by law, antecedent to the employment of force. In this, he recapitulated the measures adopted by the government, as well as those pursued by the insurgents; and, after

declaring that the existence of the government, and the fundamental principles of social order, were involved in the issue, and that all good citizens were called upon to suppress so fatal a spirit, he commanded all persons, being insurgents, on or before the first day of the next ensuing September, to disperse, and retire peaceably to their respective abodes." A proclamation to the same effect was issued by the governor of Pennsylvania. Commissioners were sent by both, to offer a general amnesty, for past offences, on the sole condition of future obedience to the laws. Thomas Mifflin, governor of Pennsylvania, who possessed great powers of elocution, publicly addressed the militia, with great animation and equal success.

The virtuous, orderly citizens were roused. The officers displayed unexampled activity: and the militia turned out, with uncommon alacrity. The troops of New Jersey and Pennsylvania rendezvoused at Bedford; and those of Maryland and Virginia, at Cumberland, on the Potowmac. The President visited each division of the army; and left the whole under the command of governor Lee, of Virginia. The army, in two divisions, marched into the country of the insurgents; but found no armed bodies of men. The greatness of the force, sent against the insurgents, by rendering resistance desperate, prevented the effusion of blood. A few of their leaders, who refused to give assurances of future submission to the laws, were seized, and detained for legal prosecution. One of them fled to the territories of Spain: but the great body of the people accepted the offered amnesty, and made their submission. A small force was left, for some time, in the country, under the command of general Morgan, to preserve the public peace.

An insurrection, that threatened the most serious consequences, was thus quelled without bloodshed. The people were taught, "that the majority must govern, and that the laws must be obeyed." The result might have been very different, if feeble, temporizing, half-way measures had been adopted; or if government had acted with rashness and precipitation. From the revision of the excise acts, so as to do

away reasonable grounds of objection, and the prudence of the executive, in avoiding all measures of irritation, the insurgents were put in the wrong. Their violence diminished their friends; while the prudence and vigour of government induced good men, to rally round the constituted authorities of the country. The constitution acquired additional vigour and stability, from the abortive attempts of the insurgents, to undermine its authority.

CHAPTER XXXIII.

Indian and Spanish Relations—Defeat of St. Clair—Wayne's Victory—Treaty with Spain.

TO promote and preserve peace with all the world, and particularly with the Indians, who skirted the United States, was of the last importance. The northern Indians were supposed to amount to five thousand warriors; of these about fifteen hundred were at open war with the United States; and of the residue, in that quarter, several tribes were far from being friendly. The Indians were now much more formidable, than the early English colonists had found them. They no longer depended on bows and arrows, for the purposes of attack and defence. Seventy years had elapsed, since the French began to instruct them in the use of fire arms, tomahawks, and swords. In the several wars, which had taken place in that period, and particularly in the late war of the revolution, they had acquired a considerable knowledge of discipline. In natural courage, they were never deficient, though, in bodily strength, they were inferior to the Virginians, and other descendants of Europeans; especially such of them, as inhabited the hilly country of the west. In the south, the Creek Indians, whose fighting men amounted to six hundred, were at war with Georgia. Their chief, M'Gillivray, was irritated, because of the confiscation of the property of his father, who was a white man, and had been a tory. The state of Georgia claimed a tract of land, on the Oconee, under a purchase, the validity of which the Indians denied. The whole regular force of the United States was less than six hundred men.

Under such circumstances, policy, as well as humanity to the natives, and a regard to justice, pointed out negociation and pacific measures, as most proper to be pursued. A treaty

was opened with the Creek Indians, in Georgia ; but was soon broken off, by M'Gillivray, who was supposed to be under the influence of his Spanish neighbours. To remove all bias from that quarter, a proposition was made to him, to treat with the United States, at New York. This being accepted, he and several of the head men of his nation repaired thither, and on the 7th of August, 1790, they concluded a treaty with the United States, which satisfied both parties, and preserved the peace of that quarter of the Union.

Pacific overtures were also made to the northwestern Indians ; but were rejected. Vigorous hostile measures became, therefore, necessary. Experience had proved, that offensive operations, carried into the towns and settlements of Indians, were the most efficient means of procuring peace, and securing the frontiers, exposed to their incursions. An expedition, for this purpose, was projected in 1791 ; the object of which was, to bring the Indians to an engagement, and to destroy their settlements, on the Scioto and Wabash. The army, destined for that service, amounted to fourteen hundred and fifty-three men ; of whom three hundred and twenty were regulars, and the rest militia, from Kentucky and Pennsylvania : the whole commanded by general Harmar. Colonel Harden was detached, with six hundred men, chiefly militia, to reconnoitre the enemy. On their approach, the Indians burned their village, and fled. With the view of bringing them to action, colonel Harden was detached, a second time, with two hundred and thirty men ; of whom thirty were regulars. These were attacked by a party of Indians. At the very onset, the militia ran off. The few regulars, thus left to their fate, continued to fight, till twenty-three of them were killed. The surviving seven made their escape. Though this disaster damped the ardour of the army, the Indian towns, on the Scioto, were burnt, and their provisions destroyed ; but nothing was attempted against their towns, on the Wabash. Harmar made a third attempt, to bring the Indians to a general engagement, and, with this view, detached colonel Harden, with three hundred and sixty men, of whom sixty were regulars. This detachment was divided into three columns, and,

as they advanced, each column was attacked, and defeated, by a considerable body of Indians. Twelve officers and one hundred and fifty privates were killed. The survivors retreated to the main army.

These repeated successes gave confidence to the Indians, and emboldened them to repeat, and extend their incursions. The frontiers were in a most deplorable situation. For their relief, congress sanctioned the raising of an additional regiment; and the President was authorized to cause a body of two thousand men, under the denomination of levies, to be raised, for six months, and to appoint a major-general, and a brigadier-general, to continue in command, as long as he should think their services necessary. Arthur St. Clair, who had been a major-general in the revolutionary army, and who was then governor of the territory, north-west of the Ohio, and, as such, officially the negociator with the adjacent Indians, was appointed commander in chief of this new military establishment. Though every exertion was made, to recruit and forward the troops, they were not assembled in the neighbourhood of fort Washington, until the month of September; nor was the establishment then completed.

The object of the expedition was, to destroy the Indian villages, on the Miami; to expel the savages from that country; and to connect it with the Ohio, by a chain of posts. The regulars, proceeding northwardly, from the Ohio, established, at proper intervals, two forts, one named Hamilton, and the other Jefferson, as places of deposit and security. These were garrisoned with a small force; and the main body of the army, about two thousand men, advanced towards the Indian settlements. As they approached the enemy, about sixty militia men deserted, in a body. To prevent the mischiefs, likely to result from so bad an example, major Hamtramck was detached, with the first regiment, to pursue the deserters. The army was reduced, by this detachment, to about fourteen hundred effective men; but, nevertheless, proceeded on their march, and encamped, on elevated ground, about fifteen miles south of the Miami. The Indians commenced an attack on the militia in front. These instantly fled in disorder, and, rushing

into the camp, occasioned confusion among the regulars. The officers of the latter exerted themselves, to restore order ; but with very inconsiderable success. The Indians improved the advantage they had gained. They were seldom seen, but in the act of springing from one cover to another ; for they fired from the ground, or under shelter of the woods. Advancing in this manner, close to the lines of their adversaries, and almost to the mouths of their field-pieces, they continued the contest, with great firmness and intrepidity.

General St. Clair, though suffering under a painful disease, and unable to mount or dismount a horse, without assistance, delivered his orders with judgment, and perfect self-possession. The troops had not been in service long enough, to acquire discipline ; and the want of it increased the difficulty of reducing them to order, after they had been broken. The officers, in their zeal to change the face of affairs, exposed themselves to imminent danger, and fell in great numbers. Attempts were made to retrieve the fortune of the day, by the use of the bayonet. Colonel Darke made a successful charge on a part of the enemy, and drove them four hundred yards ; but they soon rallied. In the mean time, general Butler was mortally wounded. Almost all the artillerists were killed, and their guns seized, by the enemy. Colonel Darke again charged with the bayonet, and the artillery was recovered. While the Indians were driven back in one point, they kept up their fire from every other, with fatal effect. Several corps charged the Indians with partial success ; but no general impression was made upon them.

To save the remnant of his army, was all that could be done by St. Clair. After some hours of sharp fighting, a retreat took place. The Indians pursued, for about four miles, when their avidity for plunder called them back to the camp, to share the spoil. The vanquished troops fled about thirty miles, to fort Jefferson. There they met major Hamtramck, with the first regiment ; but this additional force would not warrant an attempt to turn about, and face the victors. The wounded were left there, and the army retreated to fort Washington.

The loss in this defeat was great ; and particularly so among the officers. Thirty-eight of these were killed on the field ; and five hundred and ninety-three non-commissioned officers and privates were slain or missing. Twenty-one commissioned officers and upwards of 100 privates were wounded. Among the dead was the gallant general Butler, who had repeatedly distinguished himself, in the war of the revolution. Several other brave officers, who had successfully fought for the independence of their country, fell on this fatal day. Among the wounded, were lieutenant-colonels Gibson and Darke, major Butler, and adjutant Sargent, officers of distinguished merit. Neither the number of the Indians engaged, nor their loss, could be exactly ascertained. The former was supposed to be from one thousand to fifteen hundred ; and the latter, far short of what was sustained by St. Clair's army.

There were few actions, in the war of the revolution, in which the Americans sustained so great a loss, and in no instance had the Indians fought with more bravery. They were said to be encouraged by the British, who continued to hold forts in the vicinity, and within the acknowledged limits of the United States. This charge was neither satisfactorily proved by the Americans, nor disproved by the British. The territory, for which the Indians fought so gallantly, had been the property of their forefathers, for time immemorial. It had undergone many changes, without their consent. Though they had lately ceded it to the United States, they hankered after it, and were mortified, beyond measure, at the thoughts of being ejected from a country, where they first drew the breath of life, and in which the bones of their ancestors were deposited.* This second defeat gave to the Indian war a very

* The territory, north-west of the Ohio, had been, in the 15th century, given by the Pope of Rome, to the King and Queen of Spain. In about an hundred years afterwards, James, King of England, gave it to the London Company. The validity of this grant was contested by France, on the ground of prior discovery, for the half of the next hundred and fifty years ; though neither Salle, the first discoverer, on the part of France, nor Cabot, on the part of England, had ever been within several hundred miles of the lands in question. In the wars that grew out of their interfering claims, founded on these ridiculous pretensions, whole settlements were made miserable, and

serious aspect. A bill was brought into the house of representatives, of the United States, directing three additional regiments of infantry, and a squadron of cavalry, to be raised, to serve for three years, if not sooner discharged. This bill was warmly opposed; the justice of the war was arraigned; the policy of extending the frontier was denied. The superiority of militia to regular troops in Indian warfare was contended for by some. The expense was objected to, as likely to involve a necessity of new taxes; of increasing and perpetuating the public debt; and finally endangering the republican institutions of the country.

The friends of the bill urged, that the war was necessary, on the principle of defence; that, between the years 1783 and 1790, fifteen hundred white persons, on their way to the northwest territory, had been killed or captured, by the savages; that the frontiers of Pennsylvania and Virginia, had suffered nearly as much; that the government had repeatedly offered to the Indians liberal terms of peace, which had been reject-

many hundreds of lives were lost. After an immense waste of blood and treasure, the property, in these disputed lands, was, in the year 1763, acknowledged to be in Great Britain. In about twenty years after this acknowledgment, the right of Great Britain was transferred by her, to the United States, generally; or, as others contend, to the state of Virginia, in particular. These apparently interfering claims were easily compromised; for Virginia magnanimously ceded all her rights to the United States, on easy conditions. In the language of her delegates, "Virginia laid empires at the feet of congress." The United States, soon after this transfer from one of the component parts of the Union, obtained by treaty, accompanied with the usual presents, a cession of these lands, from their ancient proprietors, the Indian tribes, inhabiting the same. The United States obtained this cession, in a few years after the termination of the war of the revolution, in which these Indians had arranged themselves, with the British, against the Americans. A recollection of the hostilities committed by the Indians, as allies of the British, against the United States, induced the latter to consider the former, more in the light of a conquered people, than of independent proprietors of the soil. Under these circumstances, highly unfavourable to a voluntary transfer of property, a cession was made by the Indians, and accepted by the United States. When the latter were about to take possession of these lands, the former, regardless of their cession, resisted, fought gallantly, and defeated two armies; but were finally conquered by a third.

ed; that, while they were deliberating on these offers, they had killed and captured one hundred and twenty white inhabitants, and even roasted some of them alive; and that no dereliction of the war, on the part of the United States, would produce peace to the frontiers; for former experience warranted a belief, that the Indians would continue their murders and incursions, till they were thoroughly humbled. The arguments in favour of militia, as preferable to regular troops, for Indian war, were repelled by a recurrence to facts.

The bill was finally passed, and became a law. By it, the military establishment of the United States, amounted to five thousand men: but several months elapsed before that force could be raised, equipped, and forwarded to the scene of action. General Wayne was appointed commander in chief, in place of general St. Clair, who had resigned. While preparations were making for another campaign, a renewed effort was made, to terminate the war, by a direct communication to the Indians, of the pacific views of the United States. Colonel Harden and major Trueman, worthy citizens, and excellent officers, were sent as envoys into the Indian country, with propositions of peace. To the regret of all good men, they were both murdered, by the savages, though, in general, they respect the rights of public messengers, as much as civilized nations. The families of these valuable citizens, who had thus fallen victims in their country's service, were, on the recommendation of the President, provided for, by the national legislature.

Intelligence, that the pacific overtures of the United States had been rejected by the Indians, did not arrive, till September, 1793. It was then too late to prosecute the objects of the expedition. General Wayne advanced no further than the ground, on which St. Clair had been defeated; but there erected a fort, to which he gave the name of Recovery. There he collected and disciplined his troops, and made every preparation, for advancing early into the settlements of the Indians. They, expecting an attack upon their villages, collected in force, with a fixed resolution, to risque a battle in their defence. On the 8th of August, general Wayne reached the

confluence of the Au Glaize, and the Miamis of the lakes, without opposition. Here he halted, and threw up some works of defence. This was about thirty miles from the British post, on the Miamis of the lakes. In the vicinity of that post, the Indians were collected, to the number of 2,000 men. The legion commanded by Wayne was about the same number. To it were added 1100 mounted militia, from Kentucky, commanded by general Scott. An engagement was daily expected. Wayne had no wish to avoid, or even delay it. Nevertheless, in conformity to the humane policy of the United States, he made one more effort for the attainment of peace, without bloodshed. He sent messengers to the several hostile tribes, assembled in his front, inviting them to appoint deputies, to negotiate a peace. To this, no other than an evasive answer was returned. From the 14th to the 20th, general Wayne cautiously advanced down the Miami. On the last mentioned day, a general and decisive engagement took place. The Indians had advanced into a thick wood, in front of the British works, and had taken a position, behind trees, inaccessible to cavalry, and of difficult access even to infantry. They were formed in three lines, near enough for the support of each other, and with a very extended front. On the discharge of the first rifle, the legion was instantly formed, the front ordered to advance, with trailed arms, and with their bayonets, to drive the enemy from their hiding places, then deliver their first fire, and press the fugitives so briskly, as not to allow them time to load. So rapid was the charge, and so entirely was the enemy broken by it, that, in the course of one hour, they were driven, more than two miles, through thick woods, and within gun shot of the British fort.

General Wayne, for three days, remained in front of the field of battle, laying waste the houses and cornfields, above and below, and within pistol shot of the British fort. In this conflagration, the house and stores of colonel M'Kee, an English trader, who had encouraged the savages to continue the war, were reduced to ashes. On the 28th, the army returned to Au Glaize, and destroyed all the villages and corn, within fifty miles of the river. In General Wayne's army,

107 were killed or wounded. The loss of the Indians is unknown; but they were driven out of their country, and forts erected in the midst of their late settlements, to prevent their return.

This decisive victory may be considered, as closing the wars of the Indians, at that period, with the United States. They had assumed great confidence, from their preceding victories; but they, who had lately been victors, were now not only vanquished, but driven from their country, with the prospect of famine, from the complete destruction of their cornfields. The six nations of Indians, and those in the vicinity of Georgia, and Florida, had, for some time past, shown a refractory disposition, portending hostilities; but the desolation, brought on the Indians, north-west of the Ohio, had a happy effect, in disposing these and other tribes, to avoid all measures that threatened to involve them in similar calamities. The power of the United States, to restrain and punish their enemies, became generally known among the Indian tribes, and had a decided influence on their conduct.

At Greeneville, on the 3d of August, 1795, general Wayne concluded treaties, with the hostile Indians, north-west of the Ohio, by which peace was restored to the contending parties, on terms satisfactory and beneficial to both. These are likely to accelerate the civilization of the savages, and to promote the peace and happiness of the frontier settlements.

About this time, or rather before the defeat of the Indians, a humane system had been commenced, for meliorating their condition. They were taught some of the most useful arts, to draw them gradually from hunting, to domestic and agricultural occupations. They were also protected from impositions, in commerce, by the liberality of the United States, in furnishing them with goods, at first cost, and confining the trade with them, to licensed traders of good character. The incursions of lawless white people, into their settlements, were restrained by heavy penalties. Every facility and encouragement were given to the Indians, to become a civilized people. Colonel Hawkins was among the first to project and execute these benevolent schemes, particularly in the south-

ern quarter of the Union. His plans have been carried into effect, and the success has equalled the expectations of the friends of humanity. Though the Indians have ceded a considerable part of their superfluous land, yet enough remains for them, and their posterity, living, as they probably soon will, in the habits of civilized society. Though they have been conquered, there is ground to hope, that they have been conquered into social order and happiness.

In the same year which brought round peace with the Indians, all controversies, between the United States and Spain, were amicably adjusted. In the war of the revolution, Spain, though under the influence of France, did not like her early and decided support of the Americans, in their resistance to Great Britain. The rulers of Spain seemed to be influenced by apprehensions, that the growing numbers of the United States would, one day, be formidable to their Spanish neighbours. Though Mr. Jay was, in 1779, appointed minister plenipotentiary to the court of Madrid, and instructed to negotiate a treaty between Spain and the United States, yet his best endeavours, for two years, were unavailing. Similar attempts were repeated; but without effect. When negotiations for peace were pending, in 1782, between the belligerent powers, Spain threw the weight of her influence, in opposition to the extension of the boundaries of the United States, to the westward. To keep the Americans at the greatest possible distance, and within the most confined limits, towards the west, and south, seemed to be the object of Spanish policy. The war being over, and the limits of the United States being, by common consent, extended to the Mississippi, the cautious policy of Spain led her to exclude the western settlers of the United States, from the use of the Mississippi; the mouth of which, together with the land on each side, for a considerable distance, was acknowledged to be hers. The western Americans were accustomed to reason in a summary way, and to draw conclusions from the rights of man, as founded on the benevolent intentions of the Deity, regarding, with equal eye, the convenience, interest, and happiness, of the whole family of mankind. To them it appeared, that rivers were the high-

way of nature, given by the Author of all good, as much for the benefit of those, who inhabited near their sources, as of those, whom Providence had stationed near their mouths.

The hardy yeomanry, inhabiting the western parts of the United States, viewed the subject in a very different light from Spanish civilians. The latter contended, that they had such a right in the lower Mississippi, as would justify them in excluding all foreigners from its use, or, at least, restraining them to such a limited use of it, as they might prescribe. The claims of the two parties were thus apparently irreconcilable, on middle ground. Long-protracted negotiations ended in nothing. Many feared that the navigation of the Mississippi, like the Ohio lands, would give birth to another war, and be finally settled by the sword. The pride of kings would naturally have led to this mode of terminating the dispute; but the pacific policy of republican America decided it, on easier terms. Spain seems to have been divided, between two modes of obtaining her ends. One was, to exclude the upper settlers, as citizens of the United States. The other, to conciliate them, as Spanish subjects. The first led to war, which threatened to be more serious, every year, from the growing numbers of the Americans. The jealousies entertained, by republican Protestants, against monarchical, bigoted Catholics, interposed insuperable barriers, in the way of the latter. The western settlers were also divided in their sentiments concerning the proper mode of obtaining that free navigation of the Mississippi, which was so essential to their happiness. A few were willing to sacrifice country, allegiance, and religion, to their interest. Others, of a more ardent temperament, were for forcing their way to the gulf of Mexico, down the waters of the Mississippi, though crimsoned with blood. The more moderate and judicious citizens, as well as the government, knowing their present inability, to force the free navigation of the Mississippi, made up their minds to wait events, and patiently submit to a present inconvenience, in hopes of a change for the better. These hopes were realized, sooner than they expected. The war, between republican France and Spain, taught the latter the importance of the friendship of the United

States. Among other daring projects of the new republic of France, one was, to revolutionize Spanish America, by the aid of Kentuckians, and other western settlers, co-operating with a French force, to be introduced through Georgia, or Florida, and commanded by Mr. Genet, the minister of the French republic, to the United States. President Washington, though zealous for the free use of the river Mississippi, would not permit a foreign nation to attack the Spanish settlements, from the United States. His whole authority and influence were effectually exerted, in frustrating an expedition, the success of which, with his countenance, would have been nearly certain, and, even with his connivance, highly probable. How far this magnanimous policy, superior to the tricks of vulgar statesmen, influenced the court of Madrid, to seek the friendship of the United States, cannot be exactly known; but it is certain, that, about the same time, the commissioners of Spain, at Philadelphia, gave hints of the practicability of expediting the negociations, which had, with little interruption, been protracted, without any prospect of termination, for nearly fifteen years. These hints were attended to; and Mr. Thomas Pinckney was appointed envoy extraordinary, to his Catholic majesty. Shortly after his arrival in Madrid, he concluded a treaty with the king of Spain, in which the claims of the United States, on the important points of boundary, and the navigation of the Mississippi, were fully conceded. Thus, the justice, moderation, and good faith of the government finally succeeded in procuring important advantages for the United States, without either war or dishonour.

CHAPTER XXXIV.

French Relations—Genet—Fauchet—Adet—Treaty of Commerce.

THERE was a good understanding between the United States and France, till about the year 1793. After war had commenced between France and England, it was evidently the wish of France, either to involve the United States in the war, or to use them as instruments, for carrying it on with greater effect. France considered herself to be in the condition, in which the United States were about eighteen years before; struggling for liberty. She, therefore, calculated on a large portion of sympathy and gratitude, from her elder republican sister. Both operated strongly in her favour. The Americans generally wished her success; and many of them were disposed to go much farther than bare wishes, to promote it. The feelings, excited by the war of the revolution, when France and America, with united councils and arms, opposed Great Britain, were still alive, in the breasts of multitudes. Without recollecting the difference between their present, and their past situation; without adverting to the consequences, that might hazard the peace of the United States, many of the citizens indulged their partiality for France to a degree that was inconsistent with neutrality. The strongest passions of human nature were enlisted in favour of one, and against the other, of the contending parties. It was the first time, since they had been a nation, in which the citizens of the United States had been called upon, to perform the duties of neutrals; and they were far from being alert in their discharge. The President, viewing the real interests of the United States, from an eminence, and foreseeing the mischievous consequences, likely to result from becoming parties to the war, instantly decided in favour of neutrality; and,

by proclamation, informed the citizens thereof, and exhorted them to adopt that line of conduct, which their neutral situation required. This just and wise measure, to which the Americans owe much of their subsequent prosperity, had well nigh involved them in a war with France, and, what is worse, in civil broils among themselves.

Soon after the deposition of Louis the 16th, the republic of France recalled their minister, who had been appointed by the fallen monarch, and replaced him by Mr. Genet, who, being of an ardent temper, entered with enthusiasm into the views of the republic. Counting on the affections and good-will of the American republicans, towards regenerated France, he calculated on their active co-operation, in favour of his country against its royal enemies. Either distrusting the concurrence of the American government, or too ardent to wait for it, in a few days after his landing in Charleston, he undertook to authorise the fitting and arming of vessels, in that port, enlisting men, and giving commissions to cruise, and commit hostilities on nations, with which the United States were at peace.

The landing of Genet at Charleston, eight hundred miles from the seat of government, was not accidental; but designed to answer important purposes. It gave him an opportunity of ascertaining the sentiments of the people, with regard to the French revolution, not only in Charleston, but in the intermediate states, through which he had to pass, on his way to Philadelphia; and of calculating how far he might depend on their support, for the accomplishment of his purposes. The flattering reception he met with in Charleston, and Philadelphia, and the intermediate country, inspired him with confidence, that the people of the United States were well disposed to second his views. Before his arrival in the United States was known at the seat of government, the resolution of taking a neutral position had been, by proper authority, wisely adopted. There was no disposition to depart from it; but if there had been, the British would have thrown obstacles in the way.

The arrival of Genet, at Philadelphia, was preceded by a remonstrance against his hostile arrangements, in Charleston. Of these the British minister justly complained, as being injurious to his nation, and incompatible with the relations of peace and amity, which subsisted between it and the United States. President Washington, adhering to his system of neutrality, established rules for the due observance of it, which were forwarded to the governors of the different states, for their direction; and they were respectively enjoined, to prevent all the belligerent powers, from arming or equipping any vessels in the United States, for hostile purposes; and, generally, all acts improper for a neutral nation, either to do or permit to be done, within its limits. Genet could not brook the disappointment, which this decided, honest act of the government threw in his way. Counting on the favour of the people, and on large arrears of gratitude, due from them to his nation, he undertook to give a construction to the treaties between the two countries, which, if true, would have made the President's proclamation of neutrality inconsistent with public faith. Genet claimed, for his nation, all that the two contending parties were restricted from conceding to others: thereby converting negative limitations into an affirmative grant of privileges to France. Urging democratic principles to their utmost extent, he contended that the sovereignty was not in the constituted authorities, but in the people; and threatened to appeal from one to the other.

Every practicable evasion of the rules, for maintaining the neutrality of the United States, was adopted by Genet and his friends. They also made great exertions to inflame the public mind against Britain, as the enemy both of France and America, and against Washington, whom they represented as co-operating with the former, in her attempts to crush the latter. The people were so much intoxicated with joy, at the supposed regeneration of France, from an absolute despotism to a free Republic, that, instead of co-operating with the wise measures adopted by their government, for the preservation of peace and neutrality, great numbers of them favoured the pretensions of Genet. But, after a more deliberate view of all

circumstances, many of the judicious and reflecting citizens were induced to think less favourably of the French revolution, and more seriously of the consequences likely to result from involving their country, from complaisance to France, in a war with Great Britain. The threatened appeal, from the constituted authorities to the people, alarmed all, who felt for the honour and independence of the United States.

At length, the President requested the recall of Genet; and, as a justification of this extraordinary measure, he directed a faithful narrative of his transactions, accompanied with proper vouchers, to be transmitted to Mr. Morris, the American minister at Paris, to be laid before the ruling powers of France. This request was granted, and Genet was superseded in his official character. His successors, Fauchet and Adet, were more moderate; but pursued nearly the same plan, which he had adopted. They could not brook, that the citizens of the United States should indulge themselves in neutrality, in a war between their late enemies, and their present and late friends. They wished for a co-operation, either direct or indirect, in defending the cause of liberty, against a powerful confederacy of hostile kings; and hoped, that the American people, recently emancipated from royal domination, would hazard all consequences, and sacrifice largely in the cause of liberty. To stimulate them to engage in the war, the French ministers reproached them, for permitting their sailors to be impressed, and their vessels to be searched and captured by British cruisers. These evils, from which the Americans earnestly wished to be delivered, and to which, from the want of a navy, they were obliged to submit, were charged upon them as evidences of a partiality for, and a cowardly submission to, Great Britain.

The ministers of France had one cause of complaint, which they insisted upon, with peculiar earnestness. In the treaty with Great Britain, the search of American vessels, and the seizure of enemies' property in them, were permitted, while the treaty between the United States and France sanctioned the principle, "that free ships make free goods." The French complained, that, while their cruisers were restrained, by trea-

ty, from taking English goods out of American bottoms, English cruisers were at liberty to take French goods from the same. This inconsistency resulted from an unavoidable, temporary surrender of that only solid foundation of neutral rights, "the absolute freedom of the ocean." Though this surrender to Great Britain was the result, not of choice, but of necessity, that there might be no ground for the charge of partiality, the American government offered to release France from the unequal pressure of situation, in which she had voluntarily placed herself. But this was far from being satisfactory.

Not content with making prize of enemies' goods, in friendly bottoms, the French directory authorized the indiscriminate capture of all vessels, sailing under the flag of the United States. Pains were taken, in a private way, to satisfy France, that neither the late treaty with Britain, nor the arrangements for securing the observance of neutrality, afforded any real cause of complaint against the United States; that they were measures, which every independent nation had a right to adopt, and such as neutral nations, wishing to preserve peace with all the belligerent powers, were bound to preserve.

In the spirit of conciliation, general Charles Cotesworth Pinckney was appointed minister plenipotentiary, to the French republic, with instructions, "to maintain a good understanding between the two nations; to efface unfavourable impressions; banish suspicions; and restore that cordiality, which was at once the evidence and pledge of a friendly union." An official letter was addressed to general Pinckney, in which, Mr. Pickering, secretary of state, with great ability, demonstrated the futility of the complaints made by Genet, Fauchet, and Adet, for the last five years, against the United States. This well-reasoned state paper, being sent, on the 19th January, 1797, by the president, in a message to house of representatives, was by them published. The message introducing it concluded with these words: "A government, which required only a knowledge of the truth, to justify its measures, could not but be anxious, to have this fully and frankly dis-

played." The effect of this candid statement on the public mind was great. It carried conviction to the breasts of thousands of Americans, that the measures, pursued by their government, were founded in self-respect, and a regard to public good; while, at the same time, they violated none of the claims of justice, nor of the rights of France.

General Pinckney, though sent on an embassy of reconciliation, was not received. On presenting his letters of credence, the French directory resolved, "not to receive another minister from the United States, until after a redress of grievances, demanded of the American government, which the French republic had a right to expect from it." Instead of being received as a public minister, the general was ordered to quit the territories of the French republic. In the meantime, American vessels, wherever found, were captured by French cruisers.

If the government of the United States had been so far monarchical, as to vest the power of declaring war in the executive, nothing less than the immediate adoption of that last resort would have satisfied the wounded honour of America; but, happily for the country, by its constitution, the previous consent of the representatives of the people, who are to bear the burdens and pay the expenses of hostilities, was indispensably necessary.

While the election of a President was pending, and less than one month before the day, on which the votes were to be given, by the electors, Adet, the French minister, made a bold attempt, to influence the election, by an official note addressed to Mr. Pickering, secretary of state; in which he recapitulated the complaints, urged by himself and predecessors, against the government of the United States; reproached their government with violating its treaties; with ingratitude to France; and with partiality to England. These wrongs, which commenced with what he denominated the "insidious proclamation of neutrality," were said to be "so aggravated by the treaty concluded with Great Britain," that Mr. Adet announced, "the orders of the Directory, to suspend his ministerial functions with the government." But

he added, "that the name of America, notwithstanding the wrongs of its government, still excited sweet emotions in the hearts of Frenchmen; and the Executive Directory wished not to break with a people, whom they loved to salute, with the appellation of a friend." This suspension of his functions, therefore, was not to be regarded, "as a rupture between France and the United States; but as a mark of just discontent, which was to last until the government of the United States returned to sentiments, and to measures, more conformable to the interest of the alliance, and to the known friendship, between the two countries." The note concluded as follows: "Alas! time has not yet demolished the fortifications, with which the English roughened this country, nor those the Americans raised, for their defence; their half rounded summits still appear in every quarter, amidst plains, on the tops of mountains; the traveller need not search for the ditch which served to encompass them; it is still open under his feet; scattered ruins of houses laid waste, which the fire had partly respected, in order to leave monuments of British fury, are still to be found; men still exist, who can say, here a ferocious Englishman slaughtered my father; there my wife tore her bleeding daughter, from the hands of an unbridled Englishman: alas! the soldiers, who fell under the sword of Britons, are not yet reduced to dust; the labourer, in turning up his field, still draws from the bosom of the earth their whitened bones; while the ploughman, with tears of tenderness and gratitude, still recollects that his fields, now covered with rich harvests, have been moistened with French blood; while every thing around the inhabitants of this country animates them to speak of the tyranny of Great Britain, and of the generosity of Frenchmen; when England has declared a war of death to that nation, to avenge herself, for its having cemented, with its blood, the independence of the United States; it was at this moment, their government made a treaty of amity, with their ancient tyrant, the implacable enemy of their ancient ally. O Americans, covered with noble scars! O! you, who have so often flown to death, and to victory, with French soldiers! you, who know those generous senti-

ments, which distinguish the true warrior ! whose hearts have always vibrated with those of your companions in arms ! consult them to-day, to know what they experience ! recollect, at the same time, that, if magnanimous souls with liveliness resent an affront, they also know how to forget one. Let your government return to itself, and you will still find, in Frenchmen, faithful and generous allies."

That this extraordinary note, to an officer of government, might influence the election, it was sent to a printer, for publication, on the day of its date, November 15th, 1796 ; which barely allowed a sufficiency of time, for its circulation throughout the United States, anterior to the day for the election of a President. Mr. Adet was disappointed in his expectations. John Adams, of all the candidates for the high office, the most disagreeable to him and his masters, was elected. Judicious citizens, who disliked the administration, disapproved of this interference, in the internal affairs of the United States ; and the opposite party were filled with indignation, at the attempt to mingle foreign intrigue with their elections. They viewed it as an evidence, of the intentions of France, to establish an influence in the councils of America ; and that she wished to make them parties in the war against Great Britain, in opposition to their interest, their declared neutrality, and their late treaty with that nation.

The lately elected President, John Adams, though keenly sensible of the indignity offered to his country, was so fully impressed with the importance of peace, to its advancement and happiness, that, in his speech to Congress, in June, 1797, he informed them, "that, as he believed neither the honour, nor the interest of the United States absolutely forbade the repetition of advances, for securing peace and friendship with France, he should institute a fresh attempt at negociation ;" but, at the same time, "earnestly recommended to congress, to provide effectual measures of defence."

To add to the solemnity of this embassy, three envoys extraordinary, generals Pinckney and Marshall, and Mr. Elbridge Gerry, were appointed. They were instructed, "to pursue peace and reconciliation, by all means, compatible with

the honour and faith of the United States." On their arrival in Paris, the Directory, under frivolous pretexts, delayed to accredit them, as the representatives of an independent nation. In this unacknowledged situation, they were addressed by persons, who, though not invested with formal authority, exhibited evidence of their being tools of government. In direct and explicit terms, they demanded a large sum of money from the United States, as the condition, which must precede any negotiation, on the subsisting differences, between the two countries. To this degrading demand, the envoys returned a decided negative. The unofficial agents, nevertheless, urged them to comply, and enlarged on the immense power of France; and particularly insisted, that to her friendship alone, America could look for safety. The envoys, after some time, refused to hold any further communication with these agents. Though not received in their public characters, they sent a letter to the French secretary of foreign relations, in which they entered into the explanations, committed to them by their government, and illustrated, by facts, the uniform friendly disposition of the United States towards France. This effort failed, and every circumstance concurred to prove, that all further attempts would be equally useless. They nevertheless continued to wait events, with a patience that demonstrated their sincere desire to avert a rupture between the two countries. At length, two of the envoys, generals Pinckney and Marshall, were ordered to quit the territories of France: and the third, Mr. Gerry, was permitted to remain, and invited to resume the discussions, which had been interrupted.

When these events were known in the United States, they excited the keenest and most extensive indignation. The ardour of 1776 was revived. For a time, the spirit of party appeared to be suspended. "Millions for defence, but not a cent for tribute," daily resounded from the tongues of thousands. Authority was given for capturing armed French vessels. In consequence thereof, two severe, and well-fought actions took place, between the American frigate *Constellation*, of 38 guns, commanded by commodore Truxtun, and the French frigates *L'Insurgente*, of 40 guns, and *La Ven-*

geance of 50 guns. L'Insurgente was captured ; but La Vengeance, after having struck, escaped in the night, by reason of the disabled condition of the Constellation.

A small regular army was also ordered to be raised, and officers were appointed for a large provisional one. In the mean time, addresses poured in upon the President, from all sections of the Union, approving his measures, and promising him the most efficient support, in defence of the country. A military resistance being resolved upon, the eyes of all were turned to their beloved Washington, in the fond hope, that he would once more sacrifice the repose of a private life, to a sense of duty. He was called upon, not only by government, but by the general voice of his fellow citizens, as the man who could draw into public service, the best military talents of the nation ; and, more than any other, bring into action the physical strength of the country. The call was obeyed, and the hero of the revolution accepted the charge of organizing the proposed army, and directing its operations. America in arms, under the command of her Washington, commanded respect, though, while supplicating for peace, she had been treated with contempt. In consequence of these spirited measures, overtures of a pacific nature were made ; and a disposition on the part of France, favourable to an accommodation with the United States, was announced to President Adams, through a circuitous channel.

Peace and justice being the sole objects sought by America, these indirect communications were acted upon ; and Oliver Elsworth, William R. Davie, and William Vans Murray, were appointed envoys extraordinary, and ministers plenipotentiary, to the French republic. On their arrival in Paris, they found the Directory overthrown, and the government in the hands of Bonaparte, with the title of First Consul. By him they were received with the respect due to their character ; and three persons, with equal powers, were appointed to treat with them. All differences were speedily and amicably adjusted, and, shortly afterwards, a new treaty between the two nations was concluded. Henceforward,

there was a good understanding between France and the United States.

In about four years after this amicable adjustment, Bonaparte, who, in the mean time, had become the proprietor of Louisiana, with the consent of Spain, sold it to the United States, for fifteen millions of dollars. The territory thus acquired, by giving the Americans a right to both sides of the Mississippi, from its source to its mouth, extinguished all possibility of dispute with foreign nations, about the free navigation of that noble river. It created a dependence of the numerous Indian tribes, in a vast extent of country, on the United States; laid a foundation for an immense fur trade, and for the extension of agriculture and commerce, over a fertile country, superior in magnitude to civilized Europe.

From the deposition of Louis the 16th, to the final overthrow of the Directory of France, a period of about six years, nothing short of great forbearance, patience, moderation, and also of firmness, on the part of the United States, could have prevented their being made parties to the war, against Great Britain, or being involved in a war, with France. Steadily pursuing peace and neutrality, and, at the same time, insisting on their rights, as an independent nation, they commanded the respect of the world, while they increased in importance, wealth, and resources.

CHAPTER XXXV.

*British Relations—Jay's Treaty—Attack on the Chesapeake—
Right of Search and Impressment—Orders in Council, &c.*

SOON after the termination of the American revolutionary war, the United States and Great Britain charged each other with having violated the treaty of peace. The charge was reciprocally denied, under the shadow of sophistical distinctions ; but reciprocally proved, by facts, that could not be controverted. Each palliated the non-performance of their engagements, by alleging, that, on their part, it was subsequent to, and the consequence of, the failure of the opposite party. From the uncommon circumstances of the unnatural war, between members originally of the same political family, the exact fulfilment of the treaty was impracticable. The seventh article stipulated, “ against the destruction, or carrying away of negroes, or other property of the Americans.” The greatest vigilance, and the purest intentions, could not have secured the liberal fulfilment of this article ; for many articles of property were destroyed, or carried off, without the possibility of prevention. Good faith to the blacks involved the necessity of bad faith to the whites : for many of the former, being in actual possession of freedom, by virtue of proclamations, promising that boon as a reward for repairing to the royal standard, could not, on any principle of English law, be re-delivered, as slaves, to their American masters. To discriminate between those who were in this situation, and others differently circumstanced, was in many cases impossible. The bias of Englishmen in favour of personal liberty, the interest and convenience of officers, and others, who were benefited by the

labour of negroes, induced a very liberal construction of the treaty, with regard to the slaves ; but a very unjust one, with regard to their owners. One failure involved another. Debts contracted by Americans, for property destroyed or carried away, or for negroes taken off, could not be discharged in some instances, because the destruction of property, and carrying away of negroes, deprived the debtors of the means of payment. Even where the price of the negroes carried off had been paid, the circumstance of their being carried off made the payment of other debts impossible ; for, in the southern states, which were most indebted to Britain, land, without negroes, instead of aiding to pay an old debt, generally involved the possessor in an accumulation of new ones. The evil did not terminate here. The non-payment of debts, from American to British subjects, was assigned by Great Britain, as a reason for retaining the posts on the south side of the lakes, which form the northern boundary of the United States. This diminished the capacity of the Americans to pay their British creditors, as it encouraged the Indians, in the neighbourhood, to make war on the United States, and deprived the latter of an opportunity to sell their north-western lands. During twelve years after the peace, these lands remained unsaleable, and generally unproductive ; and, for a great part of the same period, Indian wars, proceeding from the neighbourhood of the British posts, and said to be encouraged by them, cost the United States several millions of dollars, besides diminishing the productive industry of the country. Before the revolution, British subjects, on the east side of the Atlantic, found an interest in giving credit, and making advances, to British subjects on its west side. The war found the latter deeply indebted to the former. While it raged, remittances were forbidden, or impracticable. On the return of peace, the principal of the debt was undiminished, and a serious discussion arose, whether, and how far, it had been increased by interest during the war.

The long delays of payment had nearly ruined the British merchants, trading to America, and made them clamorous for immediate remittances. In the state of the country, this was

impracticable, even by solvent, honest creditors. The inhabitants were greatly impoverished, by an eight years' war. Their property had been repeatedly taken from them, for the support of both friends and foes. Much of their labour had been abstracted from agriculture, by calls on them for militia duty. Their commerce had been so nearly annihilated, by the superior naval power of their enemy, that imported articles, though universally wanted, were both scarce and dear, while their native commodities were in little demand, and of low price.

Peace found the Americans destitute, not only of the elegancies, but, in many cases, even of the conveniences of life; and without the means of procuring them, otherwise than on credit, founded on the anticipation of their future industry. After an eight years' interruption of trade, an immensity of foreign merchandise was suddenly imported, and sold on credit, too generally asked, and too often given. The manifold wants of the citizens, and their sanguine prospects of the future, tempted many to purchase, beyond their ability to pay. They were led to this indiscretion, by an expectation, that the evidences of the public debts, which they possessed, would soon constitute an efficient fund for their relief; and that the temptation, which equal liberty and vacant lands held out to Europeans, would speedily fill their country with inhabitants, and cause an extraordinary and rapid rise in the value of their lands. Delusive hopes, created by these, and similar unfounded anticipations of good, supposed to be within their grasp, added to the want of credit, and confidence between man and man, and an inefficient government, produced a scene of unparalleled pecuniary distress, among the citizens of the United States, who had fondly hoped that peace and independence, superadded to the natural advantages of their country, would speedily raise them to the pinnacle of earthly happiness.

Evidences of acknowledged claims, on the public, would not command, in market, more than one-fifth of their nominal value. The bonds of solvent men, payable at no very distant day, could not be negociated, but at a discount of thirty, forty, or fifty per centum. Landed property would rarely command

any price ; and sales of the most common articles, for ready money, could only be made, at an enormous and ruinous depreciation. State legislatures, in too many instances, yielded to the necessities of their constituents, and passed laws, by which creditors were compelled, either to wait for payment of their just demands, on the tender of security, or to take property, at a valuation, or paper money falsely purporting to be the representative of specie. These laws were considered, by the British, as inconsistent with that article of the treaty, which stipulated, "that creditors should meet with no legal impediments, to the recovery, in sterling money, of all *bona fide* debts." The Americans palliated these measures, by the plea of necessity ; and some attempted to justify them, by contending, that the treaty was fulfilled, while the laws placed British creditors on the same footing with such of their own citizens, as had equally just demands on their fellow-citizens. This unhappy state of things, in which, one of the parties to the treaty of peace had a right to demand that, with which the other had not the means of complying, produced much ill humour between the two countries.

The rigorous commercial system, pursued by Britain, was another source of uneasiness. The Americans, as colonists, had carried on a gainful trade with the British West Indies ; but as citizens of independent states, this source of procuring gold and silver was closed against their adventurous mariners. It was the opinion of intelligent Americans, that the trade of the United States with Great Britain was of equal importance to both, and that their commercial intercourse should, therefore, be established on equal terms. To adjust these matters, and to obviate growing misunderstandings, John Adams was, in February, 1785, appointed minister plenipotentiary, to represent the United States, at the court of London. His strenuous endeavours to establish a commercial compact were unsuccessful. The United States expected, from Britain, considerable relaxations of her navigation act, and a free admission into her colonies ; but neither could be obtained, on any permanent footing. Mr. Adams, seeing no prospect of serving his country, asked, and obtained leave, to return home.

Matters remained in this state of reciprocal discontent, for some years.

When the reputation of the new American government, administered by President Washington, was established and known, Britain, of her own accord, sent Mr. Hammond, minister plenipotentiary, to the United States. This advance was well received, and major Thomas Pinckney was soon afterwards sent to London, in a similar diplomatic character. About the same time, war broke out between France and England. As soon as the existence thereof was known, President Washington issued his proclamation, enjoining on the citizens a perfect neutrality, between the belligerent nations. Though this was the duty, the right, and the interest of the United States, yet, as France was generally beloved, and Britain as generally hated, the proclamation excited great uneasiness. The ill humour, which previously existed, was henceforward increased. The former charges against Britain were revived, and brought before the public, with increased acrimony. She was accused of instigating the Indians to acts of hostility against the United States; of impressing their sailors; of illegally capturing their ships. In proportion as the public mind opened towards France, as a sister republic, and recent friend, it closed against Britain, as the late enemy of the United States, and, in principle, hostile to both republics. Motions were made in congress, for sequestering debts, due to British subjects, as a fund to indemnify American citizens, for depredations committed on their commerce, by British cruisers; and, also, for interdicting all commercial intercourse with Britain, till she gave up the posts, and made full compensation for the injuries she had done to the citizens of the United States.

In addition to all previous causes of uneasiness, a new one grew out of the war with France. The Americans had become the carriers of France, and, adhering to their favourite principle, "that free ships make free goods," they were indignant at the frequent searches, and captures of their vessels, and of French property on board. Their resentments were excited to such a degree, that many of them discovered an

eagerness to join France, in the war against Britain. As a last resource, for the preservation of peace, John Jay was sent, envoy extraordinary, to the court of London. This virtually suspended all hostile legislative measures ; for nothing of that kind could, with propriety, be urged, while amicable negotiations were pending.

A treaty, between the United States and Britain, was the result of this mission. For nine years, the former had made unsuccessful advances, for establishing a commercial compact with the latter. Though more was now conceded, than ever could have been previously obtained, yet these concessions were far short of what the American people wished and claimed. Their favourite principle, "that free ships make free goods," was given up, and the search of their vessels authorized. Britain, as a great power, would not relax on these subjects. With or without a treaty, she would act on her own construction of the laws of nations, and the United States, from inability to enforce their claims, had no alternative, but submission. By the temporary concession of this point, the United States were, in fact, in no worse situation, than they would otherwise have been ; for, in both cases, searches and captures would have been equally frequent, and equally injurious to their commerce. The treaty, on the other hand, held out a fair prospect of a speedy surrender of the British posts, on the American side of the lakes ; and also of restitution, for preceding illegal captures ; together with an authorized, but limited trade, to the British West Indies.

Mr. Jay signed the treaty, "as the best that was attainable, and as one which he believed it to be for the interest of the United States to accept." A great proportion of the citizens viewed the subject differently. The particulars of the treaty being published, by one of the senators, before the senate had advised its ratification, the people, availing themselves of their rights, under a free constitution, assembled in the maritime cities, and in many country places ; passed resolutions condemning the treaty ; and concurred in petitions to the President, to refuse his signature to its ratification. Debates on the subject were warm and animated, both in congress, and

among the citizens. The people were unfortunately divided into two parties ; one evidently partial to the French, the other to the British. The former were violently opposed to the treaty, which they represented as unequal, and giving up too much, and receiving too little ; as partial to Britain, and as hostile to the interests of France ; though the evidence, for this latter opinion, had scarcely any other foundation, than that the treaty bid fair to prevent a war between Britain and America, and indirectly to injure France by leaving her enemy more free to urge the war against the new republic.

The advocates for the treaty contended, that it was better than none, and infinitely better than war ; that it compromised disputes ; tended to bring round a friendly intercourse ; and would probably pave the way for a more equal treaty, at no very distant time, when the growing importance of the United States would give them greater weight in future negotiations. The President, on a view of all circumstances, from a conviction that the good outweighed the evil, gave the treaty the sanction of his name, and, with the advice of a constitutional majority of the senate, proclaimed it to be the law of the land.

The party, in the house of representatives, opposed to this measure, asked of the President, a copy of his instructions to Mr. Jay, together with the correspondence, and other documents, relative to the treaty, in hopes of finding something that would justify their opposition to its ratification. This request was refused by Washington, who, with great firmness and energy, in his reply contended that his compliance would be inconsistent with the constitution, which had exclusively given the treaty-making power to the President, by and with the advice and consent of two-thirds of the senate. The opposition to the treaty was so great, that the appropriations, for carrying it into effect, were warmly resisted, and, after a long debate, barely carried, by a small majority, in the house of representatives.

The treaty, carried into effect, against such powerful opposition, settled existing disputes, between the two governments. The bickerings of the people continued ; but the posts were given up, and compensation was made for se-

veral of the illegal captures of American vessels, by British cruisers. A board of commissioners was appointed, to examine particularly into the losses sustained by British creditors, individually, in consequence of legal impediments interposed by the Americans, to the recovery of bona fide debts due by them. In the detail of this business, so many difficulties occurred, that, by common consent, the United States agreed to pay 600,000*l.* sterling to the British government, in trust for the creditors of the Americans, and in full for all such out-standing, contested claims of individuals, of the one nation, against individuals of the other, as were contemplated in, and affected by, the 4th article of the treaty, and subsequent acts of some of the state legislatures. This magnanimous policy closed all grounds of controversy, growing out of the war of the revolution. The beneficial effects, resulting therefrom, evinced the wisdom of accommodating disputes, by moderation and reciprocal concession, in preference to deciding them by the sword.

Good humour began to return, between the two countries ; but it was not of long duration. One impediment stood in the way of a perfectly good understanding. The right of searching American ships, and of impressing British sailors from them, is so strongly claimed by one, and so firmly resisted by the other, that a compromise, on middle ground, is next to impossible. Both are right, on the principles they respectively adopt. To the right of expatriation and the freedom of the ocean, the Americans, from principle and interest, are friendly. On the same grounds, the British are opposed to both, and claim their native sailors, wherever found, as national property. Proceeding on these ideas, the British search neutral vessels, and impress from them such sailors, as are supposed to be born within the limits of their empire. The Americans are tenacious of their sovereignty ; the British of their existence, which they consider as involved in the support of their navy. From the collisions of principles and interest, there is an increased irritation kept up between the two countries, whenever Britain is involved in war, and her peace endangered, by the indiscreet or arbitrary conduct of wrong-

headed individuals. With the most honest intentions, frequent mistakes must unavoidably happen. This results from the sameness of language, and often of dialect. It is a well-known fact, that the American-born children, of Irish and Scotch emigrants to the United States, often retain so much of the peculiar accent of their parents, that they might honestly be mistaken, for natives of Scotland or Ireland. In deciding on the political condition of these and others, questions both of law and fact are determined by hot-headed naval officers, acting as judges, juries, and executioners. From their decisions there is no appeal.

Minor insults and injuries, after frequent repetition, were, in the year 1807, merged in the audacity of an attack, made, by order of the British admiral Berkley, on the United States' frigate *Chesapeake*, within the waters of the United States. This was to compel the delivery of part of her crew, claimed as British sailors. After several broadsides from the *Leopard*, a 50 gun ship, and four men being killed on board the *Chesapeake*, a frigate of 36 guns, she struck; was boarded by the British; and had four men taken from her: one of whom was hanged, as a British deserter.

Since the Lexington battle, in 1775, nothing produced an equal effect, on the temper and dispositions of the American people. Indignation at this insult pervaded every breast. In pursuance of the laws, president Jefferson, by proclamation, interdicted British armed vessels from entering the waters of the United States. The people, of their own accord, met in their cities, towns, and districts; and passed sundry resolutions, reprobating the conduct of the British, and pledging their lives and fortunes, to support the constituted authorities, in demanding satisfaction for the insult.

The king of England promptly disavowed the act of Berkley, removed him from the command of the station, and instructed his naval officers to respect the flags of national armed vessels. However, up to this period, 1808, there has been no suitable reparation made, by the offending party. This particular affair, after much discussion, remains unsettled. The general claim, by Great Britain, of the right of search and

impressment, has never been adjusted ; nor can it be, till the Americans relinquish a portion of their sovereignty, or the British acknowledge, that sailors have the rights of men, and that the ocean is the common property of the human race.

The war between France and England continuing to rage, most of the nations of Europe were implicated in it. In this situation, the carrying trade became of great importance to the United States, which, happily, were distant from, and unconnected with, the nations at war. It was the wish and the interest of Britain, to confine this trade within narrow limits ; for her superior navy had nearly annihilated the direct commerce of her enemies, and left them scarcely any source of supply, but through the medium of neutral nations. Britain, possessing the means of enforcing such regulations as she thought proper, was too often impelled, by eagerness for crushing her enemies, to abridge the rights of neutrals. She accordingly enlarged the articles of contraband, invented a new system of blockade, extending that to whole countries, which, heretofore, had been confined to besieged towns, or garrisons ; and, in a variety of ways, crippled the commerce of neutral nations. Rigid orders were rigidly executed. What the policy of Britain prescribed, for national purposes, the avarice and insolence of some of her marine officers carried into effect with increased severity.

The interest of the United States was directly opposed to that of Britain. The former wished to enlarge the carrying trade, as eagerly, as the latter wished to curtail it. Many artifices were contrived by the one, to make that seem a fair neutral commerce, which was not so. Much chicanery was practised by the other, to obtain the forfeiture and legal condemnation of vessels and cargoes, which had not offended against the laws of nations. In the restrictions imposed on neutral commerce, France sometimes preceded, and sometimes followed Great Britain. In others, they were nearly simultaneous. The injustice done by one belligerent, to a neutral power, was the alleged justification of the other, for further and greater impositions, not on the wrong doer, but on an innocent third party. Both belligerents claimed and exer-

cised the right of retaliating on the other, through the medium, and at the expense of the United States. The object of each was, to distress its adversary. To accomplish this, the laws of nature, and of nature's God, and of nations, were disregarded by both; and the commercial rights and interests of unoffending, neutral America, were sacrificed. These retaliating restrictions were carried to such an extent, each successively trenching deeper and deeper on the rights of Americans, that, in the close of the year 1807, all the commerce, permitted by the one, was, with a few exceptions, interdicted by the other. Many captures were made, and more expected. From the amplitude of British orders of council, and French imperial decrees, a general sweep of all floating American property, was deemed almost inevitable. In this crisis, congress, on the recommendation of president Jefferson, passed a general embargo, and prohibited the exportation of all commodities from the United States.

Under every pressure, the commerce of the country had increased, and, at the time of the adoption of this self-denying measure, was the second in the world. In a moment, it was reduced to a coasting trade, between the individual states. A stagnation, so extensive, and, at the same time, so sudden, was sensibly felt by hundreds of thousands. Many condemned, but more justified the measure, as the least of, otherwise, unavoidable evils. In preference to war, or extensive capture, the people generally concurred with the government, in retiring from the ocean. The preservation of the floating property of the citizens, one of the objects of the embargo, was obtained by it. What was in the harbour could not depart. What was on the high seas, its navigators being uninformed of the interdiction of commerce, came home, and there became stationary. As a measure of coercion, it fell far short of the expectations of its friends. This was, in a considerable degree, frustrated by the illegal departure of loaded vessels. To enforce the observance of a law, so contrary to the immediate interest of multitudes, along a coast of 1500 miles, indented with bays, rivers, and inlets, was impossible. The temptations to break it were too great, to be universally resisted.

Much of the self-denying spirit of 1776 had evaporated. The love of money was, with many, paramount to the love of country. For ten or twelve months, the embargo was patiently submitted to, by a majority of the states, and of the people; but when the new congress, which met in the close of 1808, resolved to continue and enforce it, many of the inhabitants, in the eastern section of the union, to whose existence commerce, by long habit, was in some degree essential, became refractory. The people, in that quarter, not only refused obedience; but their constituted authorities abetted their resistance. The opposition was so strong, that the laws, for enforcing the embargo, could not be carried into effect, without violence.

The government, which, for several years, had sacrificed largely to the preservation of peace with foreigners, found it expedient to do something of the same kind, to maintain peace at home. The embargo was partially repealed, and a non-intercourse, with France and England, and their respective dependencies, was substituted in its place. This was scarcely in operation, when the British minister, at Washington, tendered reparation for the attack on the Chesapeake, and a proposition to rescind the British orders of council. The recently-elected president Madison, promptly closed with his overtures. These were substantially the same, as had been offered by president Jefferson, the year before. In 1808, he had been invested by congress with discretionary power, to suspend or repeal the embargo. In the exercise of his discretion, he authorized Mr. Pinkney, the American minister at the court of Great Britain, to stipulate for the immediate repeal of the embargo, as it respected England, on condition she revoked her late hostile orders of council. Great Britain declined the offer, in August, 1808; but, of her own accord, proposed what was equivalent, in about eight months afterwards.

War, between the two countries, though wished for by a few, and seriously expected by many, was prevented, without any loss of reputation, on the part of the United States. But the wealth, commerce, and revenue of the country, sustained

an immense defalcation. The morals of the citizens received a taint. Legal impediments to the acquisition of property often imposed a necessity, and, oftener, furnished a pretence, for not paying private debts. The open violation of one law weakened the respect that was due to others. The abetment, by constituted state authorities, of the illegal opposition of the people, to an unrepealed law, struck at the foundation of all law, and especially of the federal government. The irritation of the public mind, in one section of the union, gave birth to discussions of a subject, on which nothing should be written, spoken, or thought, but with the most pointed abhorrence; the separation of the Union!

In addition to the several wars, which had been occasioned by disputes, about the boundaries of the British colonies, in America, and the very serious one, for the independence of such of them, as now form the United States, there is reason to apprehend a future one,* for the establishment of their commercial rights. The cessation of European wars, or a magnanimous policy, founded on the reasonable idea, that nations, at peace, should be left free to pursue their own interests, without avoidable interruption from any of the belligerents, might prevent it; but neither, in the present state of things, can be expected. While nations at war, prescribe to nations at peace, what commerce they may pursue, and what they must abandon, the innocent and peaceable are involved with the guilty and turbulent. The only radical remedy is, the emancipation of the Ocean, and the establishment of the principle, "that free ships make free goods." The nations at war would then have an interest in making peace; and those at peace would find their account in continuing so. Until this happy period shall arrive, the United States will but half enjoy that portion of political happiness, to which their situation, remote from the old world, their justice, republican institutions, and peaceable habits, fairly entitle them.

That peace has been preserved, between the United States and Britain, for the twenty-five years subsequently to the

* This, it is to be observed, was written in 1808. Edit.

treaty of 1783, proves the general practicability of avoiding war. It seldom happens, that there are so many points of irritation, as existed between the two countries, for nearly the whole of that period. Britain viewed the Americans as ungrateful subjects, who, by the interference of the French, had succeeded in an unprovoked rebellion. The latter considered the former as, at first, an unkind stepmother; afterwards, a cruel enemy; next, a bad neighbour; and, lastly, an insolent, overbearing, naval power, hostile to equal maritime rights. Each charged the other with having broken the treaty. The British denounced the Americans, as a people devoid of common honesty, in neglecting the payment of their just debts. The latter retorted, that the former, in violation of the treaty of 1783, retained, for twelve years, possession of military posts, within the United States; illegally captured their vessels; impressed their seamen; encouraged the Indians to deeds of desolation and murder; and the Barbary powers, in their piratical expeditions. For several years, hatred to England, and good wishes for the successes of her enemy and rival, France, extensively prevailed. With all these, and other excitements to contention, the relations of peace were preserved between the two countries. As this has been effected, in opposition to so many obstacles, by a spirit of accommodation, final justice, and temporary forbearance, no doubt can exist of the practicability, in most cases, of extinguishing wars, in embryo, if nations, generally, in their intercourse with each other, guided themselves by these noble principles.

Pursuing this line of conduct, the United States, with the exception of petty wars with barbarians, on their own frontier, and on the coast of Africa, have been preserved in peace, ever since the termination of their revolution, from colonies to states. For the greatest part of this period, equal to the quarter of a century, the nations of Europe have been drenched in blood. The men, destroyed by their wars, would have constituted nations. The treasure expended would have converted wildernesses into gardens; swamps and marshes into fertile fields. It would have levelled or perforated moun-

tians; extended inland navigation, to an incalculable extent; connected rivers, lakes, seas, and oceans with each other; and, in a variety of ways, promoted human happiness. While they were wasting their energies, in mutual destruction, the citizens of the United States, enjoying the blessings of peace, have been employed in making arrangements for the diffusion of knowledge and religion; in reforming and improving their civil institutions, for the better government of their people. Their population has increased, from three millions to six; their commerce, from small beginnings, to be superior to that of every other nation in the world, one only excepted. Their revenue has increased, from an inconsiderable sum to the annual amount of sixteen millions of dollars. Their exports have nearly doubled in price, and trebled in quantity; while their manufactures were daily extending. Such have been the effects of peace and independence in America. Happy citizens of the United States! thrice happy will you be, if you continue to walk in the paths of peace, and prudence, and virtue, which you have hitherto trodden.

[Thus far was written by Dr. Ramsay. The residue of this work is the production of the Rev. Dr. Smith and other literary gentlemen.]

CHAPTER XXXVI.

Relations with the Barbary states.—War with Tripoli.—Capture of Derne.—Treaty, &c.

THE United States were not exempt, even at the dawn of their existence as an independent nation, from those controversies and hostilities, which seem, in their turn, the common lot of every rising power. Scarcely had their contest with Great Britain been terminated, when the war whoop of the Indian roused anew the energies of the infant republic, by seriously menacing its security. These difficulties, however, were of short duration, and, by the favour of Divine Providence, were happily surmounted, in every instance, to the satisfaction and credit of their rulers. Their wisdom, justice, and moderation were found to be more successful instruments of adjustment, than are commonly experienced under other systems, where the ambition of monarchs, or the claims of ancient legitimacy, as it is termed, multiply the ordinary sources of human contention. The treaty concluded with Great Britain by Mr. Jay, the pacification of the Indians, at the close of Wayne's campaigns, and the convention formed between Bonaparte, in his first consulship, and the American plenipotentiaries, Elsworth, Murray, and Davie, now afforded the prospect of a lasting peace with the whole world.

The commercial and diplomatic relations of the United States with all nations, appeared to be settled on the firm grounds of justice, reciprocity, and friendship. Tranquillity succeeded the late troubles, and years of uninterrupted prosperity seemed to await the characteristic enterprise and activity of the people. But, as if to mark the uncertainty of human enjoyment, fresh scenes of vexation, and ultimately of war,

were to be disclosed, by the tenor of the insulting proposals that accompanied the demands of the Barbary states. Europe and the western world will long attest the flagrant extortions, the barbarous cruelties, and unprincipled intrigues, which have so long marked the course of those piratical powers, whose very name appears to designate their real character. The extension of the American commerce, in the Mediterranean, was too tempting an object to escape their avarice and thirst for plunder. To improve the occasion into a demand for tribute, was the policy of the bashaw of Tripoli, who, in 1799, threatened speedy depredations on the defenceless vessels of America, unless certain terms, totally inadmissible in their nature, were complied with. On the remonstrance of the American consul, and the rejection of those terms by the government of the United States, the consul was ordered, by the bashaw, to withdraw from his dominions; and, during the month of June, 1801, five American vessels were captured by Tripolitan cruisers.

In August, the United States' schooner *Enterprize*, captain Sterret, fell in with one of these cruisers, off Malta. A desperate engagement ensued, which was, without intermission, continued nearly two hours, when the Tripolitan hauled down his colours. The crew of the *Enterprize*, ceasing to fire, cheered upon their victory; when the perfidious corsair again attacked, hoisting his colours, and renewing the action with increased desperation, but to little effect. A volley of small arms, from the *Enterprize*, swept the deck of the enemy; and the cruiser was ordered under her quarters. The treacherous disposition of these buccaneers was again manifested; for, on gaining this position, they renewed from below the contest a third time, by pouring a broadside into the *Enterprize*, hoisting the bloody flag, in token of extermination, and using every effort to board. The crew of the *Enterprize* were now animated to a high pitch of resentment, and resolved to wreak a signal vengeance on their treacherous opponents. Such a position was taken, that the corsair was raked fore and aft. A well-directed fire carried away the mizen mast, and drove the enemy from their quarters. The commander, perceiving im-

pending destruction to the remainder of his crew, threw his colours into the sea, and, bending over the side of his vessel, in an attitude of supplication, implored mercy. Captain Sterret instantly arrested the work of carnage, and, setting a noble example of the triumph of civilization and generosity over barbarism, ordered every attention to be paid to the wounded Tripolitans that humanity could dictate. The masts of the cruiser were cut down, captain Sterret's instructions not permitting him to make prize of her; the guns thrown into the sea; and a spar being erected as a substitute for a mast, to which a tattered sail was attached, the surviving crew were thus sent into Tripoli, with an admonition not to expect tribute from a nation determined to pay it only in powder and ball.

To screen his own impolicy, the bashaw ascribed the defeat to cowardice in the captain of his vessel, whom, though wounded, he ordered to be mounted on an ass, paraded through the town, as an object of public scorn, and afterwards to receive five hundred stripes with the bastinado. Captain Sterret was honoured with the special notice of the President of the United States, who, in a message to the two houses of congress, recommended this achievement to their particular attention. They unanimously passed resolutions, expressive of their approbation of the gallantry of the commander, officers, and crew of the *Enterprize*; and voted a gold medal, with suitable emblems, to captain Sterret; swords of value to his officers; and one month's extra pay to the non-commissioned officers, seamen, and marines.

During the year 1801, the government of the United States despatched three frigates and a sloop of war to the Mediterranean, under commodore Dale. On his arrival, he invested the port of Tripoli, and issued a regular notification of strict blockade to all concerned. By this measure, the Tripolitan cruisers were excluded from the Mediterranean, and the American commerce, in that sea, was completely secured from molestation.

In the year 1802, commodore Murray, in the *Constellation*, sailed for the Mediterranean. While cruising off the port of Tripoli, and happening to be becalmed, his situation

was perceived, and the whole of the Tripolitan gun boats in harbour came out to engage him. The low construction of this kind of craft, and their moveability in calm weather, render them formidable, in proportion as the advantages of larger vessels are counteracted, when the want of wind prevents their being steered. A man of war then presents the fairest mark; and accordingly, at point blank distance, the *Constellation* was exposed to a galling, incessant fire, for more than an hour. A breeze, however, fortunately springing up, the commodore dashed in among them, and obliged the whole to retire in dismay and confusion. Several of the boats were sunk; others upset in the surf; and numbers of the crews were killed, wounded, or drowned.

The year 1802 elapsed, without any other occurrence of interest. Early in 1803, the government of the United States determined on vigorous measures against Tripoli. A squadron of seven sail was fitted out, consisting of the *Constitution* of 44 guns, *Philadelphia* 44, *Argus* 18, *Syren* 16, *Nautilus* 16, *Vixen* 16, and *Enterprize* 14, the command of which was given to commodore Preble. The squadron sailed in August, 1803, and arrived, in the course of the same month, in Tangier bay. Having adjusted some difficulties that had been started by the equivocal and crooked policy of the emperor of Morocco towards the American government, the commodore directed his attention against Tripoli. The *Philadelphia*, captain Bainbridge, being despatched, previously, to reconnoitre, standing five leagues to the eastward of that town, descried a sail in shore, to which chase was immediately given. When it was seen, that no efforts could prevent her escape, the *Philadelphia*, in beating off, was found to be in only seven fathoms water, and almost immediately struck. Every effort was exerted to lighten her, but in vain. The greatest depth of water was ascertained to be astern. All sails were laid aback; the top-gallant-sails loosened; three anchors thrown away from the bows; the water in the hold started; and all the guns thrown overboard, excepting a few aloft, to defend the ship against the Tripolitan gun boats, then advancing upon her: the foremast was cut away; but every attempt proved ineffec-

tual. The Philadelphia, deprived of the power of resistance, was compelled to strike to superior numbers of the enemy, who, with their gun boats, covered the sea. The Tripolitans took possession of the frigate; and her officers and crew, to the number of three hundred, were made prisoners. Subsequently, on a change of wind, the Tripolitans got off the frigate, and towed her into the harbour.

Captain Bainbridge and his fellow prisoners were carried before the bashaw, and thence conducted to the house previously occupied by Mr. Cathcart, the American consul. The officers were placed on parole, with a guarantee, from the bashaw's minister, for their security and forthcoming.

Shortly after, commodore Preble captured a schooner, off Tripoli, having on board the presents of the bashaw to the grand signior, and several distinguished officers. It was expected, that so opportune a capture might, if it did not facilitate a peace, at least afford the means of procuring a release of the crew of the Philadelphia. The commodore immediately proffered an exchange. The bashaw returned an answer, with indirect proposals for peace; but the terms consisted of inadmissible principles, viz. the ransom of the officers and crew, for five hundred dollars each, and the payment of an annual tribute from the United States, as the price of peace. Beyond this, he offered to restore the Philadelphia for the schooner. On the rejection of these terms, the bashaw varied his position, and offered an exchange of the American officers and men, for the Tripolitan prisoners, man for man, as far as they would go; a delivery of the remainder, for four hundred dollars each; an exchange of the frigate for the captured schooner; and a ratification of peace, but with an annual tribute. These were, in like manner, rejected.

Lieutenant, now commodore, Stephen Decatur, an officer of the brightest promise, had conceived the design of retaking or destroying the frigate. He communicated his plan to commodore Preble, who, entering into the views of the youthful hero, entrusted him with the conduct of this daring enterprise, and freely granted him the means for its execution.

Decatur was furnished with seventy resolute men, six midshipmen, and the *Intrepid*, prize schooner, of seventy tons. The brig *Syren* was ordered to accompany the schooner, and to lie in the offing, to cover a retreat when necessary. They sailed from Syracuse, and appeared off Tripoli on the 16th of February, 1804. Entering the harbour with all possible secrecy, when within two hundred yards of their object, they were hailed, and ordered to anchor, on peril of being sunk. The pilot on board the schooner was ordered to reply that her anchors were lost. The schooner advanced to within fifty yards of the frigate, when the wind died away into a calm. Decatur warped up the *Intrepid*, and laid her alongside. The Tripolitans, on discovering an enemy, were thrown into consternation. Decatur sprang on board, with midshipman, now captain, Morris. The crew followed with all possible spirit and despatch; each, sword in hand, rushing upon his enemy, the decks were soon cleared, and possession of the frigate obtained. The batteries on shore, the castle, and two corsairs, now opened a tremendous fire upon her, and a number of launches were seen closely approaching. The frigate was set on fire, and the party made good their retreat, having only four wounded. Of the Tripolitans, twenty fell by the sword: of the number burnt and drowned, there is no account; but it must have been considerable. The frigate burned to the water's edge, and her bottom drifted to the shore opposite the castle. The affair spread terror and confusion over the town, added greatly to the reputation of the American arms, and in every future attack, inspired the Tripolitans with terror at their approach. This was indeed as gallant an enterprise as ever was recorded to the honour of any hero, or the glory of any nation. In consideration of the extraordinary valour and skill displayed in the exploit, the President of the United States promoted lieutenant Decatur to the rank of post captain, in the navy.

On the 3d of August, 1804, the American squadron anchored within gun shot of the batteries at Tripoli. The gun boats and bomb ketches were advanced to the attack, covered by the *Constitution* frigate, the brigs and schooners. The

Tripolitans had, in front of their batteries, a long line of gun boats, with a brig of sixteen, and a schooner of ten guns, to cover their boats. They commenced a heavy and incessant fire upon the advancing line: but the American gun boats reserved theirs until they arrived within twenty yards of the enemy, when, pouring in a tremendous round of grape and musquetry, they compelled the right wing to give way. Those to leeward also cut their cables, and fled. Captain Decatur boarded and carried the first boat, and lieutenant Trip the second. Lieutenant Decatur, the captain's brother, in attacking the third, was unfortunately killed; but captain Decatur, running down the line, succeeded in carrying it. The enemy lost ninety-six men in the captured boats; beside which they suffered greatly from the well-directed bombardment of the squadron, both in the town and batteries. The Americans, though engaged upwards of two hours, suffered but little; the irregular fire of those barbarians, being mostly at too great a point either of elevation or depression.

On the 7th, the squadron repeated their attack, conducted with ability and effect, surpassing, if possible, the former one, and on the 29th, a most desperate engagement took place. One hundred and twenty rounds were fired by the American squadron, which did extensive injury to the town and batteries. One Polacre, and several gun boats, were sunk on the part of the enemy. The Constitution frigate anchored within pistol shot of the principal shore battery, and received twelve shot in her hull. The Tripolitans, on this occasion, mustered very strong; and their batteries, mounting one hundred and fifteen guns, were well served. Forty-five thousand Arabs defended the town, in addition to the ordinary population; and the harbour was flanked by one brig, two schooners and nineteen gun boats.

On the 4th of September, an explosion vessel was sent in, filled with one hundred barrels of powder, and three hundred shells, which service was intrusted to lieutenant Somers, accompanied by lieutenants Wadsworth and Israel, and ten men, with orders to approach as near to the town and batteries as possible. The party took with them a small boat, wherein to

escape to the *Syren*, which followed to receive them. Two of the enemy's galleys, containing one hundred men each, rowing up at the critical moment, and laying alongside, the explosion suddenly took place, with the most awful effect, and blew them with their contents, into the air. It was generally supposed that the lamented and undaunted Somers, perceiving all means of escape cut off, and preferring loss of life to ignominious slavery, set fire to the powder with his own hand, and consigned to destruction himself, his comrades, and all of the enemy who surrounded him. About one hundred shells fell into the town and castle, spreading consternation in every direction.

These exploits shed a lustre upon the American naval character, and particularly on the skill and enterprise of commodore Preble, who directed them. Among other testimonies to his well-earned fame, Sir Alexander Ball, a distinguished admiral in the British navy, addressed him in the following terms, on his quitting a command rendered memorable by numerous feats of heroism and ability :

" I beg leave to repeat my congratulation, on the services you have rendered your country, and the hair-breadth escapes you have had, in setting so distinguished an example to your countrymen, whose bravery and enterprise cannot fail to mark the character of a great and rising nation, in a manner that will ultimately be attended with the best and most important consequences to your country.

" If I were to offer my humble opinion, it would be that you have done well, in not purchasing a peace with money. A few brave men have been sacrificed ; but they could not have fallen in a better cause. And I even conceive it better to risk more lives, than submit to terms which might encourage the Barbary states in their demands and insults."

Commodore Preble had gained, during the whole of his command, the uninterrupted esteem and affection of his officers, who addressed him on his taking leave, in the warmest terms of regard and friendship. On his arrival in the United

States, he was greeted with the liveliest acknowledgments of a grateful nation. Congress voted him their thanks for his signal services to his country, and requested the President to bestow on him an emblematical gold medal. Commodore Preble was the first officer who received the thanks of the citizens of the United States, by their representatives and senators in congress assembled, since the adoption of the federal constitution, and the institution of the present form of government.

It was ascertained that the crew of the Philadelphia, captives in Tripoli, were treated with the most barbarous cruelty. They were compelled to submit to the extremities of weather, fatigue, privation, and stripes. They were chained to loaded carts, and like oxen obliged to drag them through the town. Every remonstrance of captain Bainbridge in behalf of his suffering men, was unheeded, and all his efforts to mitigate their misfortunes were rendered unavailing.

A fresh enterprise, novel in its character, but, romantic as it may appear, wisely planned as to its object, was now determined upon, in connexion with a naval armament, with a view to the liberation of the prisoners, and the compulsion of the enemy to make peace. This was an expedition concerted with Hamet, the ex-bashaw of Tripoli, who had been unjustly deprived of the government, and expelled by his brother, the reigning bashaw.

To general William Eaton, this important mission was confided, who proceeded forthwith to make arrangements for its execution. Eaton, in his share of the bold and arduous undertaking, acquitted himself with distinguished lustre, under all the trying circumstances in which he was placed. After great difficulties, which perseverance and patience, almost unexampled, alone enabled him to surmount, he effected an interview with the ci-devant bashaw, then an exile in Upper Egypt, and commanding an army of Mamelukes, at war with the Turkish government. Hamet highly approved the scheme, and appointed the general to the command of the forces destined for its accomplishment.

On the 6th of March, 1805, general Eaton, accompanied by Hamet, commenced his march from Alexandria at the head of a respectable force of well-mounted Arabs, and other partisans of Hamet, with about seventy Christians. After accomplishing a route of one thousand miles, a parallel to which, in peril, fatigue and suffering, can hardly be found but in romance, he arrived before Derne, on the 25th of April, 1805. The views of the expedition had been discovered by the reigning bashaw, and he advanced an army for the defence of the province, within one day's march of Derne, when the general arrived before it. No time was therefore to be lost. On the morning of the 26th, a flag was sent to the governor, with overtures of friendship, on condition of his immediate surrender of the city, and his future allegiance to Hamet. He returned for answer: "My head or yours!"

On the 27th, Derne was assaulted, and after a contest of two hours and a half, carried with the bayonet. The assault was supported by part of the American squadron, which had previously arrived in the bay, as agreed upon. The governor and his adherents fled, some to the desert, and others to the advancing Tripolitan army. The Christians suffered severely in the action; placing themselves in the van, to encourage their allies, they were peculiarly exposed, and nearly one third of them were killed or wounded. The general himself was wounded in the wrist by a musket ball.

The army was now employed in fortifying the captured city. Hamet, the new ally of the United States, opened his divan in the palace of the late governor: and his authority was universally submitted to by the inhabitants, and surrounding country.

On the 18th of May, the Tripolitan army advanced, and attacked the city: but, after a contest of four hours, with various success, the assailants were forced to retire precipitately beyond the mountains. The issue of the contest revives in the recollection, all that is recorded in history and romance, of the feats of Sir William Wallace, and his valorous partisans. The Christians engaged the barbarians in the proportion of tens to hundreds, and actually put them to flight.

Several minor skirmishes took place between the contending parties, about the skirts of the city, until the 10th of June, when a general battle was fought, which terminated in the repulse of the assailants. The vessels in the harbour co-operated most effectually, and by their well-directed fire checked in every instance the advance of the Tripolitans.

On the following day, the Constitution frigate arrived in the harbour of Derne. Her appearance communicated fresh terror to the enemy, who fled in great confusion to the desert, leaving behind the greater part of their baggage.

The operations of general Eaton, which had been, and were likely to be, marked with the most brilliant successes, were now suspended by the conclusion of a treaty between the reigning bashaw and Tobias Lear, Esq. on the part of the United States, in June, 1805.

This treaty, among the provisions for terminating the existing misunderstandings, and regulating the intercourse between the United States and Tripoli, stipulated the release of all the American prisoners, for the sum of \$60,000. It also engaged, that the Americans, in withdrawing their forces, should use their influence, to induce Hamet to retire.

Whatever may have been the real advantages gained to the United States, by this unexpected diplomatic interference of Mr. Lear, and the sudden termination of hostilities; yet there has existed but one opinion, among the American people, as to the probable consequences of a longer continuance of the war. Eaton, supported by the navy, would, in all human probability, have penetrated to Tripoli; deposed the reigning bashaw; elevated Hamet, the ally of the United States; liberated the American captives without ransom; and settled an advantageous commercial convention with the restored Hamet.

Though it may be alleged, that there is uncertainty in the issue of battle, it is, nevertheless, believed, that the treaty, under existing circumstances, was to be regretted; not on account of the paltry sum of \$60,000; but from an aversion, purely national, to the purchase of peace, with money. The objection does honour to the American people; and acquires

additional weight, from peace having been already earned by the enterprise, and nearly secured by the sword of an American soldier.

The frigate *President* sailed from Syracuse, the 7th of July, 1805, and arrived in the United States, the 6th of August; having on board the released prisoners. Thus terminated the first war in the Mediterranean.

AT the fourth election of president and vice-president of the United States, Mr. Thomas Jefferson, and Colonel Aaron Burr, were opposed as candidates to Mr. John Adams, and General Pinckney. On the issue of the election, Colonel Burr had an equal number of votes with Mr. Jefferson. Burr was regarded by the friends of the latter gentleman, as a candidate for the office of vice-president only, and in this view alone, he obtained their votes. The equality of votes devolved the decision upon the house of representatives, according to the provisions of the constitution at that time, to choose by ballot, one of the other, for the office of president. The votes of the house, taken by states, as prescribed by the constitution, stood as follows; for Jefferson, eight; for Burr, six; and two blank.* This issue appeared, successively, through thirty-five balloting; the democratic party voting uniformly for Mr. Jefferson, and the federal party supporting Burr. The representatives of two states were equally divided between the two political parties; and therefore, those two states in thirty-five instances, voted blank. At this interesting era, General Smith, of Baltimore, a representative of the state of Maryland, made public the contents of a letter to himself, for the information of those who have not studied the constitution of the United States; it is proper to mention, that in making choice of their electors, each state is to be considered as a single elector, and that when the representatives of a state were equally divided, its vote was considered as a blank. Thus, in the above instance, as there were two electors, it required not less than nine affirmative

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CHAPTER XXXVII.

Mr. Jefferson elected President—Colonel Burr Vice-President—Duel between Hamilton and Burr—Burr's Conspiracy—Apprehension—Trial—Acquittal.

AT the fourth election of president and vice-president of the United States, Mr. Thomas Jefferson, and colonel Aaron Burr, were opposed as candidates to Mr. John Adams, and general Pinckney. On the issue of the election, colonel Burr had an equal number of votes with Mr. Jefferson. Burr was regarded by the friends of the latter gentleman, as a candidate for the office of vice-president only, and, in this view alone, he obtained their votes. The equality of votes devolved the decision upon the house of representatives, according to the provisions of the constitution at that time, to choose by ballot, one or the other, for the office of president. The votes of the house, taken by states, as prescribed by the constitution, stood as follows ; for Jefferson, eight, for Burr, six, and two blank.* This issue appeared, successively, through thirty-five ballotings ; the democratic party voting uniformly for Mr. Jefferson, and the federal party supporting Burr. The representatives of two states were equally divided between the two political parties ; and therefore, those two states, in thirty-five instances, voted blanks. At this interesting crisis, general Smith, of Baltimore, a representative of the state of Maryland, made public the contents of a letter to himself,

* For the information of those who have not studied the constitution of the United States, it is proper to mention, that to make choice of President, in cases such as that above stated, it required a majority of all the states present ; and that when the representatives of a state were equally divided, its vote was considered as a blank. Thus, in the above instance, as there were sixteen states, it required not less than nine affirmative voices.

written by colonel Burr, in which he declined all pretensions to the presidency; and authorized the general to disclaim for him any competition with Mr. Jefferson. On this specific declaration, on the part of Mr. Burr, two federal members, who represented the states which had heretofore voted blank, withdrew, and permitted the republican members from those states to become a majority; and, instead of putting a blank into the box, to vote positively for Mr. Jefferson. Consequently, on the thirty-sixth balloting, Mr. Jefferson was elected president. Colonel Burr became, of course, vice president.

On the last balloting, Vermont, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Georgia, Kentucky, and Tennessee, voted for Mr. Jefferson. Rhode Island, Massachusetts, New Hampshire, and Connecticut, voted for colonel Burr; and Delaware and South Carolina, which had hitherto voted for colonel Burr, now voted blanks.

This affair agitated the people of the United States more than any of a civil nature that had occurred for many years. To obviate a similar dilemma in future, the constitution was altered, so as to require a specification by the electors, of the persons voted for as presidents and vice presidents.

From this period, colonel Burr declined in popularity with his political friends. They suspected him of having connived at the efforts of the federal party, to supplant Mr. Jefferson, in order to procure his own election. It was now obvious that he could no longer rely upon the party with whom he had hitherto associated, for the indulgence of his aspiring hopes; and accordingly, his genius, always restless as it was fertile, conceived a plan for the recovery of his lost influence. He became a candidate for the office of governor of New York, calculating on success, from a combination of his personal friends, still powerful, with the federal party in that state. The scheme was generally supported by the federalists there. The sagacity and address of such a leader appeared to promise the ascendancy in that populous and growing state, and, ultimately, in the general government. The plan was plausible, and would probably have succeeded, but

for the decided opposition of Alexander Hamilton, long the professional rival and political opponent of Burr.

Burr, on the disappointment of his views, determined to gratify his revenge, by challenging general Hamilton, whom he considered as the author of his defeat. He addressed a note to the general, requiring of him an acknowledgment or denial, of the use of any expression derogatory to his honour. The demand was deemed inadmissible, and a duel was the consequence. The parties met at Hoboken, in New Jersey, on the morning of the 11th of July, 1804. At the first fire, general Hamilton was mortally wounded. Burr fled from the field. He was, nevertheless, present at Washington, the following winter, and closed his political career by presiding in the senate, at the trial of Samuel Chase, one of the associate judges of the supreme court of the United States.

At this time his restless spirit conceived a project of raising a force for some enterprise, suited to his ambition. For this purpose, he attempted to seduce to his views some leading men in the United States, among whom were general Eaton, and commodore Truxtun. His precise intentions, it is said, were never fully imparted to any one; but he resorted to various pretences, and as various motives, to multiply his followers, and augment his means. The young and the aspiring looked forward to the establishment of a new republic in the Spanish provinces, then struggling for emancipation; while the more prudent relied on the known abilities and decision of their leader, for the brilliancy of success, in whatever measure he might undertake. Attracted by the false glitter of alluring promises, several individuals of wealth and influence, attached themselves to his interests, unconscious of the lengths to which they might be committed.

Many persons believed, that the enterprise, which, it was ascertained, was to originate in the western states, had for its object the separation of the states, beyond the Alleghany mountains, from their political connexion with those on the Atlantic border; and, by uniting them with the territories on the western bank of the Mississippi, the formation of a distinct and independent empire: another opinion was, that the real

aim of the expedition was an invasion of Mexico, and the Spanish provinces, in the neighbourhood of the United States. Whatever may have been the fact, it is certain that Burr, who now probably considered every avenue to future success in the United States, closed upon him forever, was actuated by the workings of an ambitious spirit, to an illegal object. He assembled a few desperate partisans on the Ohio, and steered his course towards the Mississippi. On his arrival in Kentucky, he found the public mind in a ferment, on the subject of his proceedings ; and, to allay the suspicions afloat, he voluntarily presented himself before the civil authority. This was a political manœuvre ; he knew that the attorney for the United States, in the district of Kentucky, was not possessed of any testimony against him ; and he seemed, by this step, to have a particular regard to the beneficial effects of a judicial discharge, or acquittal, which might have lulled suspicion asleep. As there was no evidence adduced against him, he was of course discharged.

From Kentucky, he descended the Ohio, and the Mississippi, until he arrived at Natchez, where his progress was impeded, in consequence of measures taken at the instance of the government, for his apprehension. He surrendered, after a ridiculous armistice with the secretary, and acting governor of the Mississippi territory, and was cited to appear before its supreme court, on Monday the 2d of February, 1807. On that day, he accordingly made his appearance, attended by counsel. The grand jury made the following report, on the facts, as presented to them.

“The grand jury of the Mississippi territory, on a due investigation of the evidence brought before them, are of opinion, that Aaron Burr has not been guilty of any crime, or misdemeanor, against the laws of the United States, or of this territory ; nor given any just occasion for alarm, or inquietude, to the good people of this territory.”

Sundry persons, suspected of being accomplices of colonel Burr, in New Orleans, and elsewhere, having been arrested by the military authority, the colonel, seeing the abortive termination of his hopes, fled, in disguise, from Natchez ; but

was apprehended on the Tombigbee, and escorted, a prisoner of state, under the guard of a military officer, to Richmond, in Virginia. On his arrival in that city, he was delivered over to the civil authority, by virtue of a warrant from the honourable John Marshall, chief justice of the United States, grounded on charges of a high misdemeanor, in preparing and setting on foot, within the territories of the United States, a military expedition, to be carried thence, against the dominions of the king of Spain, then at peace with the United States; and, also, of treason against the United States. At the close of a long examination of witnesses, and an interesting discussion between the prisoner and his counsel, on the one side, and the attornies for the United States, on the other; the chief justice ordered colonel Burr to be held in recognizance, in the sum of ten thousand dollars, to stand his trial, for carrying on a military expedition against a nation with which the United States were at peace; at the same time observing, that the evidence, as at present adduced, would not authorize a commitment, on the charge of treason against the United States; but, that the refusal to insert, in the commitment, the charge of treason, was the less important, as it would not diminish the right of the attorney for the United States, to prefer an indictment for treason, should he be furnished with the necessary testimony.

Colonel Burr, with five securities, executed a recognizance, in the sum required, for his appearance at the next circuit court of the United States, for the district of Virginia.

The court convened on the 22d day of May, 1807. The grand jury, empannelled and sworn, consisted of the following persons.

John Randolph, Jun. foreman, Joseph Eggleston, John Mercer, Joseph C. Cabell, Edward Pegram, Littleton W. Tazewell, Mumford Beverly, Robert Taylor, John Ambler, James Pleasants, Thomas Harrison, John Brockenborough, Alexander Shepherd, William Daniel, James Barbour, and James M. Garnet.

The chief justice delivered an elaborate charge to the grand jury, in which he expounded the nature of treason against the

United States, and laid down the rules of evidence to be observed in prosecuting their inquiry; when the grand jury retired.

On the 24th of June, the grand jury came into court; and the foreman delivered to the clerk, several indictments, thus endorsed:

“An indictment against Aaron Burr, for treason,—A true bill.”

“An indictment against Aaron Burr, for a misdemeanor,—a true bill.”

“An indictment against Herman Blennerhasset, for treason,—A true bill.”

“An indictment against Herman Blennerhasset, for a misdemeanor,—A true bill.”

Colonel Burr was then committed to the custody of the marshal, and was forthwith conducted to jail.

On the 26th of June, the grand jury returned into court with ten other indictments, and found true bills, for treason and misdemeanor, against the following persons respectively: Jonathan Dayton, John Smith, Comfort Tyler, Israel Smith, and Davis Floyd.

The prisoner, Aaron Burr, being in court, the clerk read the indictment found against him, for treason against the United States; which specified the place of the overt act, at Blennerhasset's island, in the Ohio river, and within the state of Virginia; and the time, the 10th of December, 1806. When the clerk had concluded, Aaron Burr addressed the court, and said: “I acknowledge myself to be the person named in the indictment. I plead not guilty; and put myself on my country for trial.”

On the 17th of August, 1807, twelve petit jurors were empannelled, and sworn to try the prisoner; who were: Edward Carrington, David Lambert, Richard E. Parker, Hugh Mercer, Christopher Anthony, James Shepherd, Reuben Blakely, Benjamin Groves, Miles Botts, Henry E. Coleman, John M. Shepherd, and Richard Curd.

The trial was then opened. Several days were consumed in the examination of witnesses, produced on the part of the

United States, who proved an assemblage of twenty or thirty men, on Blennerhasset's island, about the 10th of December, 1806 : but admitted, that those who composed the assemblage had not used any force, against the authority, civil or military, of the United States ; and that the prisoner was not present at the assemblage.

The testimony adduced in support of the prosecution, having thus shown, and the attorney of the United States having admitted, that the prisoner was not himself present, when the overt act, laid in the indictment, whatever its character may have been, was committed ; the prisoner, Aaron Burr, in his proper person, addressed the court, and objected to the testimony offered by the United States, to connect him with those who committed that act ; and contended, that such testimony was irrelevant, and ought, therefore, to be totally rejected. Out of the prisoner's objections, the following points arose, and occupied the attention of the court, for a whole week :

1st. That, conformably to the constitution of the United States, no man can be convicted of treason, who was not present when the war was levied.

2d. That, if this construction be erroneous, no testimony can be received, to charge one man with the overt acts of others, until those overt acts, as laid in the indictment, be proved to the satisfaction of the court.

3d. That the indictment, in the present case, having charged the prisoner with levying war, on Blennerhasset's island, and specifying no other overt act, cannot be supported by proof that war was levied, at that place, by other persons, in the absence of the prisoner, even admitting those persons to be connected with him, in one common treasonable conspiracy.

4th. That, admitting such an indictment could be supported by such evidence, the previous conviction of some person, who committed the act, said to amount to levying war, is indispensable to the conviction of a person, who advised and procured that act.

These points were severally and eloquently discussed at the bar ; and, at the close of a long opinion, the chief justice de-

cided, that "No testimony, relative to the conduct or declarations of the prisoner, elsewhere, and subsequently to the transaction on Blennerhasset's island, can be admitted: because such testimony, being in its nature merely corroborative, and incompetent to prove the overt act itself, is irrelevant, until there be proof of the overt act by two witnesses."

The counsel, on the part of the prosecution, having stated, that they were not able to prove, by two witnesses, that the assemblage, on Blennerhasset's island, was procured by the prisoner, the chief justice deemed it unnecessary to decide whether or not such testimony would be sufficient to implicate him in the assemblage and its acts; professing, at the same time, his readiness to meet the question, if such testimony were offered.

To the jury the chief justice observed: "You have now heard the opinion of the court, on the law in the case; you will apply that law to the facts, and find a verdict, of guilty or not guilty, as your own consciences may direct. It is true, that although no further testimony be offered, it is in your power to find a verdict of guilty, or not guilty. If you can satisfy yourselves of the guilt of the prisoner, by the evidence of two witnesses, you have the right to find a verdict of guilty."

At the opening of the court, on the 1st of September, the attorney for the United States observed, that he had neither further argument nor evidence to offer to the jury on the indictment for treason, against Aaron Burr. The jury then retired to their chamber; and, in a short time afterwards, returned into court, with the following verdict:

"We, of the jury, say, that Aaron Burr is NOT proved to be guilty under this indictment, by any evidence submitted to us. We, therefore, find him NOT GUILTY."

In the several cases of the United States against Blennerhasset and others, a *nolle prosequi* was entered. Colonel Burr was then tried for a misdemeanor; which also issued in a verdict of acquittal. On the termination of the latter case, and after a full examination of all the witnesses produced, Burr and Blennerhasset, on motion of the attorney for the United States, were held in recognizances, each in the sum of three

thousand dollars, to appear in the state of Ohio, and answer to charges for misdemeanor, there to be preferred. Here all these matters terminated. Burr and Blennerhasset never appeared in Ohio ; nor did the United States institute any further proceedings against them.

In the conduct of Burr, we see the abuse of great talents, prostituted to the most unworthy purposes, through the unchecked influence of a disappointed ambition. Had he contented himself with the regular discharge of those important functions, which appertained to his high office in the government, he might have proved himself a meritorious, as undoubtedly he was a distinguished, member of society : but, quitting the substance for the shadow of glory, and, spurning the ordinary course of elevation, he sprung, by a lawless effort, into a sphere beyond his duty as a statesman, and his rights as a citizen. His private motives have not been clearly developed ; he may have counted on more extensive co-operation : but his fate has, at least, established the important truth, that no attempt, however supported by rank and influence, could impair the known attachment of the western states to the integrity of the Union.

CHAPTER XXXVIII.

Foreign Relations—Proceedings of Great Britain and France on the subject of Neutrals—Mission of Mr. Erskine from the former—His recall—Appointment of Mr. Jackson—His dismissal—Succeeded by Mr. Foster—Discussions relative to the affair of the President and Little Belt—Promised reparation for the Attack on the Chesapeake.

THE origin of those hostile measures on the part of the cabinets of St. Cloud, and St. James, which implicated in their consequences, the maritime interests of America, has been already seen ;* the result was, as might have been predicted, instrumental in raising up fresh sources of contention ; in blending the jealousies of the western world with those of Europe ; in producing a new collision of interests, till then dormant, which could only bring with it detriment, disaster, and future retribution.

From the year 1805, the ministry of Great Britain and the emperor of France, in the prosecution of their inveterate and mutual hostility, imposed restrictions on, and prescribed regulations for, the commerce of neutrals, which subjected their numerous merchant vessels to countless embarrassments. The maritime rights, and the property of nations not disposed to be involved in the quarrel, constituted the medium of this novel and unjust warfare. In consequence, the relations of the United States, with those nations, which, since the treaty of 1783 with the one, and the convention of 1801 with the other, had been of a pacific character, assumed an unsettled and perplexed aspect. Great Britain and France, to accomplish their ambitious views against each other, mutually resorted to unprecedented measures, wholly unauthorized by

* Vide Chap. 32, and 33.

the long established rules of civilized war. They assailed the rightful commerce of the United States, by public and authorized spoliations, under orders in council, proclamations of blockade, admiralty adjudications, and right of search on the one hand; and imperial decrees, capture, and conflagration on the other, both equally rendering it, and all concerned in it, the victims of their passions, devices, usurpations, and injustice.

In this course of unjustifiable outrage, the two nations had persevered for a series of years. When the overt acts of the one had produced some new enormity, in violation of the rights of American citizens, the other invariably retaliated upon the neutral itself. This injustice, repeated in the face of solemn and respectful remonstrances, on the part of the government of the United States, was attempted to be defended by the insulting pretext, that, as the wrongs of the one had been endured without resistance, so should the retaliation of the other.

It continued to be the uniform object of the United States, to endeavour to preserve a trade as free from interruption, as the state of the world would allow; and to attach to it the protection of neutrality; while the policy of each of the belligerents was exerted in repeated endeavours, to terminate the benefit of that neutrality to, and to force upon, that antagonist, the consequences of an open rupture. Their violence, in this opposition, had betrayed them into an entire disregard of all the received principles, that usually govern the conduct of belligerents towards neutrals, by the most unjustifiable depredation on the American commerce. The repeated, pressing representations of the ministers of the United States, at the respective courts, were, on every occasion, ineffectual in producing any redress, even of the slightest of those numerous injuries, of which they were charged to complain.

Shortly after the election of Mr. Madison, however, to the presidency, an event occurred which promised to restore the United States to that prosperous situation from which

they had been driven by the encroachments of the European belligerents. The government of Great Britain was at this time represented in the United States by Mr. Erskine, a son of the celebrated chancellor of England, who had been appointed to that station by the ministry of Mr. Fox. The policy of that distinguished statesman had in most instances been marked by a greater respect for the rights of neutrals than that of his great political opponent. Partaking of similar principles, Mr. Erskine had, however, been continued in his station of resident minister by the administration which succeeded on the demise of Mr. Fox. In his intercourse with the American government he had always manifested a strong disposition to accommodate the differences between the two nations : and, could any thing have diverted the British government from the impolitic and unrighteous course they were then pursuing, it would have been the representations made by their own minister, of the disposition and views of the republic.

On the 17th of April 1809, that minister proposed to the American government an arrangement of the subjects in controversy, on the following basis : 1st, That reparation should be made for the outrage upon the frigate Chesapeake, by the restoration of the men taken out of her, and by the British government making provision for the unfortunate sufferers, in addition to the disavowal by his Britannic majesty, and the recal of admiral Berkley. 2d, That the orders in council should be withdrawn so far as respected the United States, provided the latter would repeal the prohibition of the intercourse with Great Britain. 3d, That an envoy extraordinary should be sent from Great Britain, with power to conclude a treaty on all the points of difference between the two countries. These fair and liberal proposals were met with great cordiality by the American government. In the short space of two days, the forms of the agreement were adjusted, and concluded between the secretary of state, Mr. Smith, and Mr. Erskine. This arrange-

ment, with the ratification of the President, was published on the 19th of April, in a proclamation of the executive, which declared, that as it had been officially communicated to the American government, that the British orders in Council would be repealed on the 10th of June, after that day the trade of the United States with Great Britain, inhibited by acts of Congress, might be renewed.

This happy adjustment of the national differences, so honourable and advantageous to both countries, was received by the people of the United States with the most lively satisfaction. All parties united in applauding a measure which afforded a fair prospect of the restoration of harmony between the two nations, and disencumbered commerce of its shackles, while it added to the reputation of the republic. The accession of Mr. Madison to the executive office was hailed as a new era; and his readiness to close with the offers of the British minister, was regarded as a proof of the liberal and correct spirit which would actuate his councils. The gleam of prosperity, however, which this event threw over the prospects of the nation, was not destined to be of long continuance. No sooner had the intelligence of the convention reached England, than it was disavowed by the government. Mr. Erskine was immediately recalled, on the ground that he had exceeded his instructions: and the American government was informed that the arrangement would not be ratified.

The ministry by whom the councils of Great Britain were at that time directed, were the disciples and supporters of the system of Mr. Pitt. Pursuing what they considered the policy of that celebrated statesman, they endeavoured to compensate for their deficiency of talents by the boldness and violence of their measures. In their eagerness to inflict the greatest possible injury upon the people of France, they were regardless to what extent the rights of neutrals were violated. Towards the American republic their conduct had been particularly offensive: mistaking equally the true interests of their own country and the character of the citizens of the United

States, they endeavoured to force the latter to an abandonment of that commerce which they saw with envy was rapidly increasing their wealth and prosperity. A course of conciliation and respect would probably have led to hostilities between France and the United States, had the edicts of the emperor Napoleon been continued, and thus the suspension of the neutral carrying trade, which they endeavoured by forcible means to accomplish, would have been effected, and other important advantages gained by Great Britain. This plain and open course, which the arrangement of Mr. Erskine offered a favourable opportunity to embrace, was nevertheless rejected; and the mistaken and unjustifiable policy of retaliating on neutrals the inconveniences they suffered from their enemy, was persevered in. The instructions to Mr. Erskine, as they were afterwards published, do not appear to justify him in pursuing the course he did.* Having represented to the British government the favourable disposition of that of America, he was authorised to make certain propositions to the latter, an important part of which was a requisition that the Americans should abandon the carrying trade, in consideration of the repeal of the orders in council. This condition he did not, as we have seen, propose: and on this ground, as well as on the pretext that the expressions of the American secretary, in his note accepting the reparation for the affair of the Chesapeake, were offensive to the dignity of his Britannic Majesty, the convention was set aside.

* See Cobbett's Parliamentary Debates vol. xvii, app. p. cxix. As considerable doubt has existed whether this convention was authorised by the British government, it may be proper to add, that in a debate in the House of Commons on the 15th May 1810, Mr. Whitbread, the friend and advocate of Mr. Erskine, who had pledged himself to bring the matter before that body, admitted "that Mr. E. had not complied with the letter of his instructions, and he also thought that any individual by whom those papers alone were read, would be justified in entertaining the opinion that Mr. Erskine had not acted up to the spirit of his instructions." Cobbett's Parl. Deb. vol. xvi. p. 1039.

Mr. Erskine having been recalled, was succeeded by Mr. Jackson as British ambassador at Washington. His conduct at the very outset of his negociation with the government, afforded but slender hopes of a favourable issue ; his deportment appeared calculated to give offence, while the tenor of his communications breathed a spirit unfriendly to pacification. The discussions which necessarily grew out of the rejection of the convention of his predecessor, had not proceeded far, before he outraged that decorum which ought always to be observed in diplomatic negociations. He imputed not only duplicity, but a departure from truth, to the officers of the American government. In vindicating his own government for the rejection of that arrangement which had been entered into with so much promptitude and good faith by the republic, Mr. Jackson presumed to insinuate that the administration was aware of Mr. Erskine's proposition being unauthorized by, and even contrary to, his instructions, and that a convention so framed, could not be obligatory on the British government. Such allegations, it is plain, could not be tolerated by the officers of an independent country. The secretary of state remonstrated in forcible terms against this offensive style of communication, without effect. The offence being repeated, Mr. Jackson was officially informed that no further communication would be received from him, his diplomatic character being suspended. The conduct of the President in this step was approved of by a majority of Congress, and Mr. Jackson was shortly afterwards recalled by his government.

Before the arrival in the United States of his successor, Mr. Foster, an event occurred which added another to the subjects of difference between the two countries, and threatened to postpone still further the prospect of accommodation. The principal harbours of the United States had been for a considerable period, annoyed by British vessels of war, which, for the purpose of enforcing the orders in council and other prohibitory decrees, had been stationed on the coast. The commerce of the republic, even that which was carried on between

ports in the union, was thus subjected to the supervision and occasional depredations of the vessels of that nation, whose commanders rarely exercised the power entrusted to them in a manner calculated to lessen the offensiveness of their duty. Possessed with the most exalted ideas of the dignity and importance of the British navy, they affected to look with contempt upon that of America; and the case of the Chesapeake afforded a proof of the little respect in which the republican flag was held. With these feelings it was to be expected, that rencontres would take place between the vessels of the two nations in no amicable spirit. On the 16th of May, 1811, the United States frigate President, commanded by Commodore Rodgers, while cruising off the capes of Virginia, discovered at noon a vessel which soon appeared to be a man of war. Sail was made in chase, for the purpose of discovering to what nation she belonged. About seven in the evening the flag of the stranger was hoisted, but the darkness prevented the American officers from distinguishing what nation it represented. Soon after eight, having arrived within a short distance of her, Commodore Rodgers hailed and inquired her name. Without returning an answer, the question was repeated by the commander of the strange vessel, from which a shot was soon fired, which struck the mainmast of the President. The fire was immediately returned by the latter, and continued for a few minutes, when, finding his antagonist to be a vessel of much inferior force, her fire being almost silenced, commodore Rodgers directed that of the President to cease. On hailing, he discovered that the ship to which he had been opposed, was the British sloop of war, Little Belt, captain Bingham, of 18 guns. Thirty-two of her men were killed and wounded during the action, and the vessel very much disabled.

In his communication of this affair to the British government it was represented by captain Bingham in the light of a hostile aggression upon his ship: and it was expressly stated, that the first gun was fired from the President. On his arrival

in America, therefore, Mr. Foster laid before the secretary of state captain Bingham's official letter, and required, on the part of his Britannic Majesty, a disavowal of the act, and reparation for the injury received. In answer to this communication, Mr. Monroe stated that no hostile instructions had been given to the American commander, and that from the representation given by him to his government, it appeared that a violent aggression had been made on the frigate *President*, which would have required redress from the British government, had not the event of the rencontre tempered the feeling arising from it. In a subsequent communication, Mr. Monroe transmitted to Mr. Foster a copy of the proceedings of a court of Inquiry, held by order of the President on the conduct of Commodore Rodgers. From the decision of the court, which was founded upon the examination of every officer of the *President*, as well as many of the seamen, the statement of Commodore Rodgers was corroborated in every respect, and it was clearly proved, that the first gun was fired from the *Little Belt*. After this communication, no further correspondence took place upon the subject, the British government not thinking it advisable to press it further.

Shortly after the investigation of this affair had closed, Mr. Foster informed the American government, that he was prepared to offer terms of reparation for the attack on the frigate *Chesapeake*. The readiness of the President to receive them having been signified, the British minister proposed :

First, a repetition of the disavowal on the part of the British government of the unauthorized act of Admiral Berkley, whose recall from the American station was alleged to be a mark of his majesty's displeasure.

Secondly. The immediate restoration to the *Chesapeake*, as far as circumstances would admit, of the men who, in consequence of Admiral Berkley's orders, had been forcibly taken out of that vessel ; or should she not be in commission, to

such seaport of the United States as the American government might name for the purpose.

Thirdly. A suitable pecuniary provision for the sufferers, in consequence of the attack on the Chesapeake, including the families of those seamen who fell in the action, and of the wounded survivors.

The reparation was accepted by the President: at the same time, he expressed a regret that it had been so long delayed; nor could he allow, that the translation of the offending officer from one station to another, which was the case with Admiral Berkley, who authorized this act of violence, was to be regarded as constituting any part of a reparation otherwise satisfactory. In pursuance of this compact, the surviving seamen taken out of the Chesapeake were restored to her in June 1812, a few days previous to the declaration of war: and thus was reparation made for this outrage after a series of unsatisfactory negotiations, protracted to the length of five years.

The orders in council, however, and the illegal blockades of the British government, were still persisted in. Neither the injurious operation of those acts upon the interests of that nation, nor their tendency to lead to a war with America, were sufficient to induce the ministry to discontinue them. The effect of the orders were now more severely felt by the condemnation of a considerable number of American vessels, with valuable cargoes, which had been captured on their voyage to France or Holland. These proceedings were earnestly opposed, in forcible and eloquent terms by Mr. Pinkney, the minister of the United States at London. His remonstrances were met by general professions, while the fixed determination of the British government to adhere to its favourite system, was plainly evinced. In this state of affairs, a more energetic course of opposition was plainly required by the dignity and interests of the American republic.

CHAPTER XXXIX.

Foreign Relations continued.

THE emperor Napoleon had hitherto relaxed nothing of what was called his continental system. He continued to carry into rigid operation, his several decrees of Berlin, Milan, Rambouillet, and Fontainbleau; which he did not attempt to justify by any apology but the plea of the British example. He openly declared to the world, that they entered into his deliberate plans, to reduce within proper bounds the maritime supremacy usurped by Great Britain, and to wrest from her the power to tyrannise upon the ocean.

The United States, thus experiencing no favourable change in the policy of the belligerents, in respect to their trade, presented, by an act of congress, passed 1st May, 1810, the following alternative to their consideration, viz.

“That if either Great Britain or France shall, before the 3d of March next, so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, which fact the president shall declare by proclamation; and if the other nation shall not, within three months thereafter, so revoke or modify her edicts in like manner, then the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eighteenth sections of the act, entitled “an act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,” shall from and after the expiration of three months from the date of the proclamation aforesaid, be revived and have full force and effect, so far as relates to the dominions, colonies and dependencies, and to the articles of the growth, produce, or manufacture, of the dominions, colonies, and dependencies of the nation thus refusing or neglecting to revoke or modify her edicts, in the manner aforesaid. And the restric-

tions imposed by this act, shall, from the date of such proclamation, cease, and be discontinued, in relation to the nation revoking or modifying her decrees in the manner aforesaid."

This act having been officially communicated to the governments of Great Britain and France, M. Champagny, the minister of France, transmitted to Mr. Armstrong, the minister of the United States, at Paris, a note bearing date 5th August, 1810, in which it was declared, that the Berlin and Milan decrees were revoked, and that they would cease to operate, their revocation to take effect on the first day of November ensuing. The president of the United States, reposing with confidence in the sincerity of this declaration, issued, on the 2d of November, 1810, his proclamation, announcing that all restrictions on the trade of the United States with France, had then ceased.

Great Britain, however, persisted in the course she had so long steadily pursued: and congress, on the 2d of March, 1811, passed a supplementary act, to enforce against her the several sections, before recited, of the "act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," which contained, among other provisions, the following:

"That in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the president of the United States shall declare the fact by proclamation; and such proclamation shall be admitted as evidence, and no other evidence shall be admitted, of such revocation or modification, in any suit or prosecution, which may be instituted under the fourth section of the act to which this is a supplement; and the restrictions imposed, or which may be imposed, by virtue of the said act, shall, from the date of such proclamation, cease and be discontinued.

"That, until the proclamation aforesaid shall have been issued, the several provisions of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eighteenth sections of the said act, entitled "an act to interdict the commercial inter-

course between the United States and Great Britain and France, and their dependencies, and for other purposes," shall have full force, and be immediately carried into effect against Great Britain, her colonies, and dependencies."*

In the hope that the British ministry would, without delay, embrace the equitable offer expressed in the terms of the act, and that, desirous to avoid its interdictions, the last extremity would be averted by their acceptance of them, the president hastened to make known the present and probable future posture of affairs between the two nations, as likely to be affected by an immediate decision; but, the only plea received in answer from the British ministry was, that the decrees of France had not been repealed, or even modified, notwithstanding the proclamation of the president to the contrary. They challenged the government of the United States to produce some authenticated document to prove the repeal or modification of the Berlin and Milan decrees, on the 1st of November, 1810, in pursuance of the assurance of M. Champagny, in the note of the 5th of August, 1810, to Mr. Armstrong. They adduced various declarations of the emperor Napoleon himself, subsequently to the 1st of November, 1810, to show that his decrees were still virtually in force, as fundamental laws of his empire. The capture, moreover, of certain American vessels, asserted to have taken place under those decrees, and to have occurred subsequently to their alleged revocation, was cited as additional proof of their continuing to affect the neutral commerce of the United States.

On the part of the American government, it was replied, that not a single vessel, since the 1st of November, 1810, had been condemned in the courts of admiralty in France, on the principles of the Berlin and Milan decrees. The New Orleans Packet, from Gibraltar to Bordeaux, was detained, but not condemned. The Grace Ann Green, from the same port to Marseilles, had likewise been detained; but was afterwards restored unconditionally to her owner. Such part of the cargo of the New Orleans Packet, as was proved to consist of the

* Vide Appendix, No. IV.

produce of the United States, was restored to the proprietors. These, with others in similar circumstances, were the cases cited on the part of the British ministry, to prove the existence of the French decrees after the 1st of November, 1810: but with regard to them, the real fact appeared, that, proceeding from a British possession, they carried cargoes, some articles of which were prohibited by the municipal laws of France, or admitted only by the special license of the government. It was manifest, that, as their detention was to be imputed to no other cause, the continued operation of the Berlin and Milan decrees could not be thence argued.

The mystery that hung over the arrangement, between the United States and France, as to the repeal or modification of the Berlin and Milan decrees, was, in no respect, chargeable to any want of candour on the part of the United States. The proclamation of the president was issued in the firm persuasion, that on the 1st day of November, 1810, the French decrees had been so modified as not to affect the commerce of the United States. He was bound so to believe; and he was bound to act under the conviction: because he had been assured, through the minister of France, that such would be the case. In this instance, he acted with the same candour, and with the same good faith, that he had manifested in the rejected arrangement with Mr. Erskine. In the latter, he anticipated the ratification of the convention, by the British government; because it was fair, and reciprocal, in its provisions, advantageous to both parties, and had been concluded by a minister plenipotentiary in behalf of Great Britain. On that occasion, the motives and conduct of the president were generously construed, and liberally eulogised, by all parties in the United States. Therefore, Great Britain had no reason to complain of the faith which the United States had reposed in the declaration of the proper functionary of the French government; nor to impute, to the president of the United States, and afterwards to congress, an unbecoming promptitude, in announcing the repeal of the decrees by proclamation, and proceeding, by law, to revive and enforce the several inhibitory provisions against the commerce of Great Britain.

The president and congress acted, in the affair, with the candour and confidence that became the rulers of a just and magnanimous nation. That they were not able to produce the repeal in form, of the Berlin and Milan decrees, was alone chargeable to the finesse of the French government. No doubt this evidence, with all the solemnities required by the British government, was purposely withheld, to prevent the abrogation of the orders in council, on the part of Great Britain, and the probable result, to her, of an unrestrained commerce with the United States. Such a result was deprecated by Bonaparte.

The United States had punctually fulfilled their engagement to the French nation, conveyed in the terms of the act of congress, of the 1st of May, 1810; and were also desirous of convincing the government of Great Britain of their disposition to observe the same measure of justice towards them. Mr. Barlow, minister of the United States at Paris, was instructed to procure, from the emperor, a specific recognition of the repeal of the Berlin and Milan decrees, to be exhibited to the British government, in justification of the proclamation of the president, dated the 2d of November, 1810, and the act of congress of the 2d of March, 1811. Unable longer to resist the applications of Mr. Barlow, or to assign any reasonable apology for farther delay, on the 10th of May, 1812, the minister of France transmitted to him the following act:

Palace of St. Cloud, April 28, 1811.

“Napoleon, emperor of the French, king of Italy, protector of the confederation of the Rhine, mediator of the Swiss confederacy: On the report of our minister for foreign affairs, being informed of the law of the 2d of March, 1811, by which the congress of the United States has decreed the execution of the provisions of the act of non-intercourse, which interdicts the entry into American ports, of the ships and merchandise of Great Britain, her colonies, and dependencies; and considering that the said law is an act of resistance to the arbitrary pretensions, advanced in the British orders in council, and a formal refusal to sanction a system hostile to the independence of neutral powers, and of their flags; we

have decreed, and do decree, as follows : The decrees of Berlin and Milan are definitively, from the first of November last, considered as no longer in force, as far as regards American vessels.

“ Signed,” &c.

Mr. Barlow forthwith communicated this decree to his government, and to Mr. Russell, the American chargé d'affaires, at London. Its date, and the time of its publication, were certainly extraordinary. It purported to have been ordained more than a year before it was communicated to Mr. Barlow, and would seem to have existed at the precise time, when the British government, within the knowledge of the French, denied the repeal of the Berlin and Milan decrees ; and while the American minister was almost daily urging the latter government for such evidence of their repeal. An explanation being urged on the duke of Bassano, he affected surprise, that a communication from him, in May, 1811, for the information of the American government, had not been received ; and further stated, that he had, at the same time, furnished Mr. Russell, then chargé d'affaires at Paris, with a copy. The French minister at Washington, being pressed for an explanation, declared that he had never been furnished with a duplicate of this imperial act, nor had been in any way apprized of its existence. Mr. Russell, likewise, explicitly denied having ever received the copy, alleged to have been transmitted to him.

On the 23d of June, 1812, the British orders in council, of January, 1807, and April, 1809, were conditionally withdrawn. Various impelling causes concurred, to induce the British ministry to this measure. Independent of the constant importunities of the American government, and their own promise to follow the example of France, whenever she should revoke her decrees, they were beset by the remonstrances of their merchants and manufacturers, whose circumstances had nearly become desperate, from the effects of that ruinous system, which had been so long persevered in, with a view to extirpate the commerce of the continent. About the period when Mr. Russell was enabled to deliver to the British secre-

tary of state for foreign affairs, the French decree of April, 1811, an interesting inquiry was in progress, at the bar of the house of commons, clearly establishing that the manufacturers had severely suffered, and that the commerce of the empire was in a state of universal stagnation. To terminate a discussion tending to unveil the practical results of a disastrous policy, the Prince Regent, in council, at length decreed a modification of the orders in council, of 1807 and 1809, stating, however, as the ground of inducement so to do, "a certain instrument, then for the first time communicated, purporting to be a decree, passed by the government of France, on the 28th day of April, 1811, by which the decrees of Berlin and Milan are declared to be definitively no longer in force, in regard to American vessels." The British cabinet, true to the unfriendly spirit which they had shewn towards the American government, since the commencement of their violation of the rules of war, and outrages upon neutral commerce, took occasion to except to the "tenor" of the French decree, of April, 1811; and, at the same time, to fetter their own act with irrelevant conditions.*

These proceedings, on the part of France and Great Britain, were not in time to arrest the current of public feeling in the United States, which, since it was ascertained that Mr. Foster had no instructions to propose the slightest relaxation of the system pursued by his government, gradually rose to the last appeal of nations. Believing that it had become necessary to assume a new attitude in relation to the belligerents of Europe, the president, by proclamation, convened congress on the 4th of November, 1811, and laid before them the following message:

"It was hoped that the successive confirmations of the extinction of the French decrees, so far as they violated the neutral commerce of the United States, would have induced the government of Great Britain to repeal its orders in council, and thereby authorize the removal of the existing obstructions to her commerce with the United States.

* Vide Appendix, No. V.

“ Instead of this reasonable step towards satisfaction and friendship, between the two nations, the orders were, at a moment when least to have been expected, put into more rigorous execution : and it was communicated, through the British envoy, just arrived, that, whilst the revocation of the edicts of France, as officially made known to the British government, was denied to have taken place ; it was an indispensable condition of the repeal of the British orders, that commerce should be restored to a footing, that would admit the productions and manufactures of Great Britain, when owned by neutrals, into markets shut against them by her enemy ; the United States being given to understand, that, in the meantime, a continuance of the non-importation act would lead to measures of retaliation.

“ At a later date, it has, indeed, appeared, that a communication to the British government, of fresh evidence of the repeal of the French decrees against our neutral trade, was followed by an intimation, that it had been transmitted to the British plenipotentiary here ; in order that it might receive full consideration in the pending discussions. This communication appears not to have been received : but the transmission of it hither, instead of founding on it an actual repeal of her orders, or assurances that the repeal would ensue, will not permit us to rely on any effective change in the British cabinet. To be ready to meet, with cordiality, satisfactory proofs of such a change, and to proceed, in the meantime, in adapting our measures to the views which have been disclosed through their minister, will best consult our whole duty.

“ In the unfriendly spirit of these disclosures, indemnity and redress for other wrongs have continued to be withheld ; and our coasts, and the mouths of our harbours, have again witnessed scenes, not less derogatory to the dearest of our national rights, than vexatious to the regular course of our trade. Among the occurrences produced by the conduct of British ships of war, hovering on our coasts, was an encounter between one of them, and the American frigate, commanded by captain Rodgers, rendered unavoidable, on the part of

the latter, by a fire, commenced without cause, by the former; whose commander is, therefore, alone chargeable with the blood unfortunately shed, in maintaining the honour of the American flag.

“The justice and fairness which have been evinced on the part of the United States towards France, both before and since the revocation of her decrees, authorized an expectation that her government would have followed up that measure, by all such others, as were due to our reasonable claims, as well as dictated by its amicable professions. No proof, however, is given, of an intention to repair the other wrongs done to the United States; and particularly to restore the great amount of American property, seized and condemned under edicts, which, though not affecting our neutral relations, and therefore not entering into questions between the United States and other belligerents, were nevertheless founded in such unjust principles, that the reparation ought to have been prompt and ample.

“In addition to this, and other demands, of strict right, on that nation, the United States have much reason to be dissatisfied, with the rigorous and unexpected restrictions, to which their trade, with the French dominions, has been subjected; and which, if not discontinued, will require at least corresponding restrictions on importations from France into the United States.

“On all these subjects, our minister plenipotentiary, lately sent to Paris, has carried with him the necessary instructions; the result of which will be communicated to you, and, by ascertaining the ulterior policy of the French government towards the United States, will enable you to adapt to it, that of the United States towards France.

“Under the ominous indications which commanded attention, it became a duty to exert the means, committed to the executive department, in providing for the general security. The works of defence, on our maritime frontier, have accordingly been prosecuted, with an activity, leaving little to be added for the completion of the most important ones; and, as particularly suited for co-operation in emergencies, a portion

of the gun-boats has, in particular harbours, been ordered into use. The ships of war, before in commission, with the addition of a frigate, have been chiefly employed as a cruising guard to the rights of our coasts. Such a disposition has been made of our land forces as was thought to promise the services most appropriate and important.

“ I must now add, that the period is arrived which claims from the legislative guardians of the national rights, a system of more ample provisions for maintaining them. Notwithstanding the scrupulous justice, the protracted moderation, and the multiplied efforts, on the part of the United States, to substitute, for the accumulating dangers to the peace of the two countries, all the mutual advantages of re-established friendship and confidence, we have seen, that the British cabinet perseveres, not only in withholding a remedy for other wrongs, so long and so loudly calling for it; but, in the execution, brought home to the threshold of our territory, of measures, which, under existing circumstances, have the character, as well as the effect, of war on our lawful commerce.

“ With this evidence of hostile inflexibility, in trampling on rights, which no independent nation can relinquish, congress will feel the duty of putting the United States into an armour and an attitude, demanded by the crisis, and corresponding with the national spirit and expectations.

“ I recommend, accordingly, that adequate provision be made, for filling up the ranks, and prolonging the enlistments of the regular troops; for an auxiliary force, to be engaged for a more limited term; for the acceptance of volunteer corps, whose patriotic ardour may court a participation in urgent services; for detachments, as they may be wanted, of other portions of the militia; and for such a preparation of the great body, as will proportion its usefulness to its intrinsic capacities. Nor can the occasion fail to remind you of the importance of those military seminaries, which, in every event, will form a valuable and frugal part of our military establishment. Your attention will of course be drawn to such

provisions, on the subject of our naval force, as may be required for the services, to which it may be best adapted.

“ I cannot close this communication, without expressing my deep sense of the crisis, in which you are assembled ; my confidence in a wise and honourable result of your deliberations ; assurances of the faithful zeal with which my co-operating duties will be discharged ; and invoking, at the same time, the blessings of heaven on our beloved country, and on all the means that may be employed in vindicating its rights, and advancing its welfare.”

Congress now took into consideration the subjects presented to their view in the message ; among which a suitable military preparation claimed primary attention. Considerable controversy arose as to the proportions of regulars, militia, and volunteers, which ought to compose the land armament. Some contended that a limited regular force, with the militia and such volunteer corps, as it was supposed would promptly tender their services, would be adequate to the emergency in prospect. Others with better judgment, were opposed to a chief reliance on any other description of force than a respectable regular army ; considering the militia as merely auxiliaries in war, liable to be called into the field on great and sudden emergencies. Their terms of service, equipment, habits, discipline, and dispositions, were deemed ill adapted to military success, and particularly unsuited to permanent defence. They were represented, moreover, as the least æconomical of all troops ; a matter of no slight consideration in anticipating the cost of a war with a powerful adversary. On both sides of the house, arguments were drawn from the history of the revolutionary war ; in which are recorded many instances of signal valour and enterprize, on the part of militia ; and many too, of dreadful disaster, from their unsteadiness. From the memorable field of Bunker's Hill, was derived an example glorious and honourable to this arm of war ; while the recollection of Gates's defeat survived to warn the experienced leader against a settled confidence in their services.

In the house of representatives, the estimates of the war department constituted the basis of the military provision.

These required, in addition to the existing military establishment, a provisional army of ten thousand men, with authority to the president to add, as the service might demand, militia and volunteers. The senate acted on its own estimates, and passed a bill authorizing an additional regular force of twenty-five thousand men. The house of representatives concurring, the military establishment of the United States was raised from six to thirty-one thousand men. At the same time laws were enacted to complete the military establishment previously existing; to authorize the president to raise certain companies of rangers, for the protection of the frontiers of the United States; to authorize the purchase of ordnance, and ordnance stores, camp equipage, and other field supplies, and small arms; to authorize the president to accept the services of volunteer military corps; to make provision for the defence of the maritime frontier; to authorize a detachment from the militia of the United States; to organize a corps of artificers; to make provision for the corps of engineers; and to make appropriations to defray the expenses necessarily incurred by these extraordinary measures.

In the mean time, a proposition was introduced in the house of representatives, by the committee on naval affairs, to augment the naval establishment of the United States; which produced very interesting and able debates. It encountered prejudices, of long standing, against the policy of a large navy; which were combated with ability and success by Mr. Cheves, the chairman of the naval committee, supported by many other gentlemen, on both sides of the house. The same proposition was discussed with equal zeal in the senate. Finally an act was passed, directing the frigates Chesapeake, Constellation, and Adams, to be immediately repaired, equipped, and fitted for sea; and making an appropriation of two hundred thousand dollars, annually, for three years, to purchase and supply timber for ship-building, and other naval purposes; the first timber so purchased to be applied to building the frigates Philadelphia, General Greene, New York, and Boston.

On the 14th of March, 1812, congress, to provide for the expenses to be incurred by these various acts, authorized the president to borrow, on the credit of the United States, a sum not exceeding eleven millions of dollars; which was executed on the most favourable terms. The whole amount was advanced by individuals and corporate bodies, for an annual interest of six per centum.

These measures comprised the war-establishment of the two houses of congress. From the 30th of March, to the 1st of June, 1812, they were occupied in little more than revising and improving it, according to the suggestions of experience in its administration, by the war and navy departments. When they conceived themselves ready to take the last solemn resolution, it was deemed politic to suffer a period to elapse, to ascertain what impression their preparatory measures, evidently indicative of war, might have on the conduct of the belligerents. During this interval of suspense, a question, as to the enemy to be selected, was agitated among the people of the United States, and discussed by the members of congress. The president, at the opening of the session, impartially described the true state of the relations of the United States with Great Britain and France. He gave a faithful description of the separate pretensions of both, and referred the course to be pursued, in relation to them, to the determination of that department of the government, to which the power to declare war is committed by the constitution. It had been long obvious that both nations concurred in opinion, that the United States were almost wholly influenced by commercial views, and an exclusive desire of gain. From the past moderation of the government, they were induced to act upon the presumption, that the Americans would wage no other than a war of plenipotentiaries, and countervailing statutes; that, in short, there was perfect safety in the continuance of their injustice. These motives were distinctly manifested on the part of Great Britain, in all her correspondence and intercourse with the United States. Whenever, and wherever, their subjects and citizens, their ships of war, and

their public ministers came into contact, the American character, pretensions, and rights, were subjected equally to contumely and violence. Nothing could more outrage that decorum which ought to subsist between nations at peace, than the constant hovering of British ships upon the American coast, obstructing the navigation of its ports and bays. This conduct was the more aggravating from the consideration, that it was practised towards a people of the same national propensities, language, morals, laws, and religion, with the aggressors, and regarded, by the impartial world, as holding a similar rank among civilized nations.

About the 20th of May, the *Hornet* sloop of war, which had carried out despatches from the government of the United States to Mr. Barlow, at Paris, and to Mr. Russell, at London, returned with the intelligence, that no favourable prognostics were discoverable in the cabinets of St. Cloud and St. James, at the date of the 20th of April, of a nature to permit the councils of the nation to delay longer the selection of its enemy. The president, therefore, on the 1st of June, sent the following message to the two houses of congress :

“ Without going back beyond the renewal in 1803, of the war in which Great Britain is engaged, and omitting unrepaired wrongs of inferior magnitude, the conduct of her government presents a series of acts hostile to the United States as an independent and neutral nation.

“ British cruisers have been in the continued practice of violating the American flag on the great highway of nations, and of seizing and carrying off persons sailing under it; not in the exercise of a belligerent right founded on the law of nations against an enemy, but of a municipal prerogative over British subjects. British jurisdiction is thus extended to neutral vessels in a situation where no laws can operate but the law of nations and the laws of the country to which the vessels belong; and a self-redress is assumed, which, if British subjects were wrongfully detained and alone concerned, is that substitution of force, for a resort to the responsible sovereign, which falls within the definition of war. Could the

seizure of British subjects, in such cases, be regarded as within the exercise of a belligerent right, the acknowledged laws of war, which forbid an article of captured property to be adjudged without a regular investigation before a competent tribunal, would imperiously demand the fairest trial where the sacred rights of persons were at issue. In place of such a trial, these rights are subjected to the will of every petty commander.

“The practice, hence, is so far from affecting British subjects alone, that, under the pretext of searching for these, thousands of American citizens, under the safeguard of public law, and of their national flag, have been torn from their country, and from every thing dear to them; have been dragged on board ships of war of a foreign nation, and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren.

“Against this crying enormity, which Great Britain would be so prompt to avenge if committed against herself, the United States have in vain exhausted remonstrances and expositions. And that no proof might be wanting of their conciliatory disposition, and no pretext left for a continuance of the practice, the British government was formally assured of the readiness of the United States to enter into arrangements, such as could not be rejected, if the recovery of British subjects were the real and the sole object. The communication passed without effect.

“British cruisers have also been in the practice of violating the rights and the peace of our coasts. They hover over and harass our entering and departing commerce. To the most insulting pretensions they have added the most lawless proceedings in our very harbours; and have wantonly spilt American blood, within the sanctuary of our territorial jurisdiction. The principles and rules enforced by that nation, when a neutral nation, against armed vessels of belligerents hovering near her coasts, and disturbing her commerce, are

well known. When called on, nevertheless, by the United States to punish the greater offences committed by her own vessels, her government has bestowed on their commanders additional marks of honour and confidence.

“Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, our commerce has been plundered in every sea; the great staples of our country have been cut off from their legitimate markets; and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures, they have been considered as in force from the dates of their notification; a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal, these mock blockades have been reiterated and enforced in the face of official communications from the British government, declaring, as the true definition of a legal blockade, “that particular ports must be actually invested, and previous warning given to vessels bound to them, not to enter.”

“Not content with these occasional expedients for laying waste our neutral trade, the cabinet of Great Britain resorted, at length, to the sweeping system of blockades, under the name of orders in council, which has been moulded and managed, as might best suit its political views, its commercial jealousies, or the avidity of British cruisers.

“To our remonstrances against the complicated and transcendent injustice of this innovation, the first reply was, that the orders were reluctantly adopted by Great Britain as a necessary retaliation on the decrees of her enemy, proclaiming a general blockade of the British isles, at a time when the naval force of that enemy dared not to issue from his own ports. She was reminded, without effect, that her own prior blockades, unsupported by an adequate naval force actually applied and continued, were a bar to this plea; that executed edicts against millions of our property could not be retaliation on edicts, confessedly impossible to be executed; and that retaliation, to be just, should fall on the party setting the guilty

example, not on an innocent party, which was not even chargeable with an acquiescence in it.

“When deprived of this flimsy veil for a prohibition of our trade with her enemy, by the repeal of his prohibition of our trade with Great Britain, her cabinet, instead of a corresponding repeal, or a practical discontinuance of its orders, formally avowed a determination to persist in them against the United States, until the markets of her enemy should be laid open to British products; thus asserting an obligation on a neutral power, to require one belligerent to encourage, by its internal regulations, the trade of another belligerent; contradicting her own practice towards all nations, in peace as well as in war; and betraying the insincerity of those professions which inculcated a belief, that, having resorted to her orders with regret, she was anxious to find an occasion for putting an end to them.

“Abandoning still more all respect for the neutral rights of the United States, and for its own inconsistency, the British government now demands, as pre-requisites to a repeal of its orders, as they relate to the United States, that a formality should be observed in the repeal of the French decrees, nowise necessary to their termination, nor exemplified by British usage; and that the French repeal, besides including that portion of the decrees which operate within a territorial jurisdiction, as well as that which operates on the high seas against the commerce of the United States, should not be a single special repeal, in relation to the United States; but should be extended to whatever other neutral nations unconnected with them, may be affected by those decrees. And as an additional insult, they are called on for a formal disavowal of conditions and pretensions advanced by the French government, for which the United States are so far from having made themselves responsible, that, in official explanations, which have been published to the world, and in a correspondence of the American minister at London, with the British minister for foreign affairs, such a responsibility was explicitly and emphatically disclaimed.

“ It has become, indeed, sufficiently certain, that the commerce of the United States is to be sacrificed, not as interfering with the belligerent rights of Great Britain, not as supplying the wants of her enemies, which she herself supplies, but as interfering with the monopoly which she covets for her own commerce and navigation. She carries on a war against the lawful commerce of a friend, that she may the better carry on a commerce polluted by the forgeries and perjuries which are, for the most part, the only passports, by which it can succeed.

“ Anxious to make every experiment short of the last resort of injured nations, the United States have withheld from Great Britain, under successive modifications, the benefits of a free intercourse with their market, the loss of which could not but outweigh the profits accruing from her restrictions of our commerce with other nations. And to entitle these experiments to the more favourable consideration, they were so framed as to enable her to place her adversary under the exclusive operation of them. To these appeals her government has been equally inflexible, as if willing to make sacrifices of every sort, rather than yield to the claims of justice, or renounce the errors of a false pride. Nay, so far were the attempts carried, to overcome the attachment of the British cabinet to its unjust edicts, that it received every encouragement within the competency of the executive branch of our government, to expect, that a repeal of them would be followed by a war between the United States and France, unless the French edicts should also be repealed. Even this communication, although silencing forever the plea of a disposition in the United States to acquiesce in those edicts, originally the sole plea for them, received no attention.

“ If no other proof existed of a predetermination of the British government against a repeal of its orders, it might be found in the correspondence of the minister plenipotentiary of the United States at London, and the British secretary for foreign affairs in 1810, on the question whether the blockade of May, 1806, was considered as in force or as not in force. It had been ascertained that the French government, which

urged this blockade as the ground of its Berlin decree, was willing, in the event of its removal, to repeal that decree; which, being followed by alternate repeals of the other offensive edicts, might abolish the whole system on both sides. This inviting opportunity for accomplishing an object so important to the United States, and professed so often to be the desire of both the belligerents, was made known to the British government. As that government admits, that an actual application of an adequate force is necessary to the existence of a legal blockade; and it was notorious, that if such a force had ever been applied, its long discontinuance had annulled the blockade in question, there could be no sufficient objection on the part of Great Britain, to a formal revocation of it; and no imaginable objection, to a declaration of the fact, that the blockade did not exist. The declaration would have been consistent with her avowed principles of blockade, and would have enabled the United States to demand from France, the pledged repeal of her decrees; either with success, in which case the way would have been opened for a general repeal of the belligerent edicts; or without success, in which case the United States would have been justified in turning their measures exclusively against France. The British government would, however, neither rescind the blockade, nor declare its non-existence; nor permit its non-existence to be inferred and affirmed by the American plenipotentiary. On the contrary, by representing the blockade to be comprehended in the orders in council, the United States were compelled so to regard it in their subsequent proceedings.

“There was a period when a favourable change in the policy of the British cabinet, was justly considered as established. The minister plenipotentiary of his Britannic majesty here proposed an adjustment of the differences more immediately endangering the harmony of the two countries. The proposition was accepted with a promptitude and cordiality corresponding with the invariable professions of this government. A foundation appeared to be laid for a sincere and lasting reconciliation. The prospect, however, quickly vanished; the whole proceeding was disavowed by the British

government, without any explanations, which could at that time repress the belief, that the disavowal proceeded from a spirit of hostility to the commercial rights and prosperity of the United States. And it has since come into proof, that at the very moment, when the public minister was holding the language of friendship and inspiring confidence in the sincerity of the negotiation with which he was charged, a secret agent of his government was employed in intrigues, having for their object a subversion of our government, and a dismemberment of our happy nation.

“In reviewing the conduct of Great Britain towards the United States, our attention is necessarily drawn to the warfare just renewed by the savages on one of our extensive frontiers; a warfare which is known to spare neither age nor sex, and to be distinguished by features peculiarly shocking to humanity. It is difficult to account for the activity and combination which have for some time been developing themselves among tribes in the constant intercourse with British traders and garrisons, without connecting their hostility with that influence; and without recollecting the authenticated examples of such interpositions heretofore furnished by the officers and agents of that government.

“Such is the spectacle of injuries and indignities which have been heaped on our country; and such the crisis which its unexampled forbearance and conciliatory efforts have not been able to avert. It might at least have been expected that an enlightened nation, if less urged by moral obligations, or invited by friendly dispositions on the part of the United States, would have found, in its true interest alone, a sufficient motive to respect their rights and their tranquillity on the high seas; that an enlarged policy would have favoured that free and general circulation of commerce, in which the British nation is at all times interested, and which in times of war is the best alleviation of its calamities to herself as well as the other belligerents; and more especially that the British cabinet would not, for the sake of the precarious and surreptitious intercourse with hostile markets, have persevered in a course of measures which necessarily put at hazard the in-

valuable market of a great and growing country, disposed to cultivate the mutual advantages of an active commerce.

“ Other councils have prevailed. Our moderation and conciliation have had no other effect than to encourage perseverance, and to enlarge pretensions. We behold our seafaring citizens still the daily victims of lawless violence committed on the great common and highway of nations, even within sight of the country which owes them protection. We behold our vessels freighted with the products of our soil and industry, or returning with the honest proceeds of them, wrested from their lawful destination, confiscated by prize courts, no longer the organs of public law, but the instruments of arbitrary edicts ; and their unfortunate crews dispersed and lost, or forced or inveigled, in British ports, into British fleets : whilst arguments are employed in support of these aggressions, which have no foundation but in a principle supporting equally a claim to regulate our external commerce in all cases whatsoever.

“ We behold, in fine, on the side of Great Britain, a state of war against the United States ; and on the side of the United States, a state of peace towards Great Britain.

“ Whether the United States shall continue passive under these progressive usurpations, and these accumulating wrongs ; or, opposing force to force in defence of their natural rights, shall commit a just cause into the hands of the Almighty Disposer of events, avoiding all connexions which might entangle it in the contests or views of other powers, and preserving a constant readiness to concur in an honourable re-establishment of peace and friendship, is a solemn question, which the constitution wisely confides to the legislative department of the government. In recommending it to their early deliberations, I am happy in the assurance that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation.

“ Having presented this view of the relations of the United States with Great Britain, and of the solemn alternative growing out of them, I proceed to remark, that the communications last made to congress on the subject of our relations

with France, will have shown that since the revocation of her decrees, as they violated the neutral rights of the United States, her government has authorized illegal captures, by its privateers and public ships, and that other outrages have been practised on our vessels and our citizens. It will have been seen also, that no indemnity had been provided, or satisfactorily pledged, for the extensive spoliations committed under the violent and retrospective orders of the French government against the property of our citizens seized within the jurisdiction of France. I abstain at this time from recommending to the consideration of congress definitive measures with respect to that nation, in the expectation that the result of unclosed discussions between our minister plenipotentiary at Paris, and the French government, will speedily enable congress to decide, with greater advantage, on the course due to the rights, the interests, and the honour of our country."

This message was referred in the house of representatives, to the committee on foreign relations. After a serious consideration of its contents, they reported a bill, declaring war between the United kingdoms of Great Britain and Ireland and their dependencies, and the United States of America, and their territories, accompanied by a manifesto of the causes that impelled to war, of which the following is a summary. For :

1st. Impressing American citizens, while sailing on the seas, the highway of nations, dragging them on board their ships of war, and forcing them to serve against nations in amity with the United States ; and even to participate in aggressions on the rights of their fellow citizens when met on the high seas :

2dly, Violating the rights and peace of our coasts and harbours, harassing our departing commerce, and wantonly spilling American blood, within our territorial jurisdiction :

3dly, Plundering our commerce on every sea ; under pretended blockades, not of harbours, ports, or places invested by adequate force ; but of extended coasts, without the appli-

cation of fleets to render them legal: and enforcing them from the date of their proclamation, thereby giving them virtually retrospective effect.

4thly, Committing numberless spoliations on our ships and commerce, under her orders in council, of various dates:

5thly, Employing secret agents* within the United States, with a view to subvert our government, and dismember our union:

6thly, Encouraging the Indian tribes to make war on the people of the United States.*

The bill reported by the committee on foreign relations passed the house of representatives, by a majority of thirty, in one hundred and twenty-eight votes; and, with the manifesto, was transmitted to the senate for its concurrence. In the senate, it passed by a majority of six, in thirty-two votes. On the 18th of June it received the approbation of the president, and on the next day, was publicly announced. By this act the president was authorized to apply the whole land and naval forces in carrying it into effect; and to issue, to private armed vessels of the United States, commissions, or letters of marque and general reprisals, under the seal of the United States, against the vessels, goods, and effects of the government and people of the United kingdoms of Great Britain and Ireland. It was followed by others, for the more perfect organization of the army of the United States; appropriating further sums for the defence of the maritime frontier, and for the support of the navy; and for the safe keeping and accommodation of prisoners of war; for restraining intercourse with the enemy, and respecting alien enemies; authorizing the president to cause to be issued treasury notes, for such sums as he should deem expedient for the public service, not exceeding, in the whole, five millions of dollars; and imposing additional duties upon all goods, wares, and merchandise, imported from foreign ports or places, to aid the revenue during the war.

Had the British government decided on the modification of

* See next chapter.

the orders in council, even one month earlier, the final issue between the United States and Great Britain, might have been avoided: but its perseverance in them, aggravated by an habitual disregard of the rights of the United States, as an independent power, induced a resort to war, as the only means remaining for redress. When the intelligence of the modification of the orders in council reached the United States, it had actually been declared and begun. It was therefore, too late to expect that a nation in arms could recede from belligerent ground, or retract the solemn decision to which it had been impelled, while the continuance of war in Europe, presented only one uniform prospect of reiterated usurpation, so systematically practised upon it. Indeed it had become necessary to convince the world, that war with all its evils, was preferable to that condition into which the nation had been forced, by arbitrary and oppressive measures. The orders in council, if totally rescinded, formed but one of the grievances, of which the United States justly complained. The impressment of their seamen, a practice the most atrocious and unwarrantable, attended often with the most aggravating circumstances, and the predatory system, of British cruisers in every sea, sanctioned by the adjudications of British courts of admiralty, were calculated to rouse the timid, and to array the patriotic and the brave. Besides these, offences against their feelings, subjects of complaint, coldly, haughtily, and contemptuously disregarded, deeply rankled in their bosoms. The war, in which they were embarked, it was hoped, would ultimately produce such impressions, of the firmness of their councils, and vigor of their arms, as would command from Great Britain, and other nations, a more respectful and just deportment in future. They were determined to encounter all the hazards and privations of war, rather than witness their independence become the sport of any nation. The result, though their expectations were, at seasons, dashed with temporary disappointment, corresponded with the justice of their cause. Such, indeed, had been their injuries, vexations, and mortifications,

on the ocean, on their frontiers, and in their negotiations; and so hopeless, without a total change of existing feelings and interests, was the resumption of diplomatic discussions, that a determined maintenance of the war was obviously the only means of attaining a speedy and honourable peace.

CHAPTER XL.

Political clamours in New England—Henry's mission—Disturbances at Baltimore, and Savannah—The battle of Tippecanoe, &c.

BEFORE entering fully into a detail of the military and naval events of the war declared, the reader will be detained while we notice a few subjects, some swelling the catalogue of grievances, for the redress of which, the United States were compelled to resort to the sword.

Pending the negotiations between the United States and Great Britain, Sir James Craig, governor general of the Canadas, despatched captain Henry, formerly of the United States' army, on a secret mission to Boston, the object of which will be more fully explained below.

On the 22d of December, 1807, congress passed an act laying an embargo intended to guard the property of the citizens of the United States, and the persons of their seamen, against the operation of the British orders in council, and French decrees, which, it was understood, unofficially, were on both sides to be carried into immediate and rigorous execution. It was continued until the first of March, 1809; at which time it was repealed, and in its stead was substituted an act, to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies.

The operation of these acts, in annihilating a part and suspending nearly the whole of the external commerce of the country, inflamed the spirit of party to the most violent extent, especially in the eastern states. The prospect of a dismemberment of the union, and the formation of a separate government in the eastern states, was not unfrequently discussed in the public prints; in many instances probably with a view to terrify the administration into an abandonment of

the embargo and restrictive system : but in others, some of the parties are believed to have had serious views to this fatal measure as their ultimate end.

Sir James Craig had been an attentive observer of this growing spirit. His acquaintance with Henry commenced through the communication of a despatch from the latter in 1808, entitled "information and political observations," which Sir James transmitted to the secretary of state for foreign affairs in London, who was pleased to express "his particular approbation of them." Thus originated that most singular and culpable intrigue, directed against the integrity and independence of the United States, sanctioning an unwarrantable interference in their internal affairs, and calculated to overturn the beautiful fabric of their constitution.

Henry was at Montreal in Lower Canada, when the British governor decided upon this mission ; and was addressed through the governor's secretary, Herman W. Ryland, with an offer of the service proposed, which he readily undertook. He was accredited by a letter from Sir James Craig himself, in which it was distinctly stated, that, being employed by his excellency, full confidence might be reposed in him "for any communication which any person might wish to make on the business committed to him." At the same time he was furnished with a letter of instructions, a cypher, and key to regulate his conduct and official communications. The following extracts from letters passing between them, will elucidate the particulars of this iniquitous business, and the agency of the parties to it.

Quebec, 6th February, 1809.

Sir J. C. to J. H.

"The principal object that I recommend to your attention
"is the endeavour, to obtain the most accurate information of
"the true state of affairs, in that part of the nation, which,
"from its wealth, the number of its inhabitants, and the
"known intelligence and ability of several of its leading men,
"must naturally possess a very considerable influence over,
"and will indeed, probably lead the other eastern states of
"America, in the part they may take, at this important crisis.

“ It has been supposed, that, if the federalists of the eastern states should be successful in obtaining that decided influence, which may enable them to direct the public opinion, it is not improbable, rather than submit to a continuance of the difficulties and distress to which they are now subject, they will exert that influence, to bring about a separation from the general union.* The earliest information on this subject may be of great consequence to our government; as it may, also, be that it should be informed how far, in such an event, they would look to England for assistance, or be disposed to enter into a connexion with us.

“ Although it would be highly inexpedient that you should, in any manner, appear as an avowed agent, yet, if you could contrive to obtain an intimacy with any of the leading party, it may not be improper, that you should insinuate, though with great caution, that if they should wish to enter into any communication with our government through me, you are authorized to receive any such, and will safely transmit it to me.”

J. H. to Sir J. C.

“ *Montreal, 10th February, 1809.*

“ I have the honour to acknowledge the receipt of your excellency's letter of instructions, the letter of credence, and the cypher, for carrying on my correspondence.

“ As the present moment seems favourable to the interference of his majesty's government, in the measures pursued by the federal party, in the northern states, and more especially as the assembly of Massachusetts is now in session, I think it better to set forward immediately than wait for any farther explanation of the means of carrying on a secret correspondence.”

* George Rose, esq. one of the members of the British ministry, published a pamphlet on the commerce of Great Britain and America, in which he distinctly stated, that it was in the power of Great Britain, by a perseverance in the orders in council, to effect a revolution in the United States, in consequence of the distresses and embarrassments arising from that system.

Henry proceeded on his mission, from Montreal, and passed into the state of Vermont. From Burlington he despatched his first communication to Sir James Craig, in which he announced favourable presages, and gave assurances "that there was every reason to hope that the northern states, in their distinct capacity, would unite and resist by force, a war with Great Britain." In a second despatch from Windsor, he added, "the federal party declare, in the event of war, that the state of Vermont would treat separately for itself with Great Britain, and support, to the utmost, the stipulations into which it may enter, without any regard to the policy of the general government. The democrats," said he, "on the other hand, assert that, in such a case as that contemplated, the people would be nearly divided into equal parties, one of which would support the government, if it could be done without involving the people in a civil war; but, at all events, would risk every thing in preference to a coalition with Great Britain." He offered some explanation of the difference he observed in the sentiments of the inhabitants of Burlington, and those of Windsor. The proximity of the former to the British provinces, and their greater intercourse with the Canadians, disposing them to favour a British alliance.

From Windsor, Henry proceeded to the capital of Massachusetts, whence he despatched several communications. In these he seems to have confined himself to mere speculations on political affairs. On his arrival at Boston, he was constrained to give up all hope of being able to communicate any thing, promising an immediate accomplishment of the ends desired. War with Great Britain was no longer to be expected. The arrangement with Mr. Erskine had, in a great measure, appeased the opposition to the administration. Henry left Boston, having, as it would seem, done little more than amuse the governor of Canada with a few unimportant communications. On his return to Montreal, he addressed his last despatch to Sir James Craig, which he thus introduced: "I have the honour to inform your excellency, that I received, through Mr. secretary Ryland, your excellency's com,

mands to return to Canada ;” and thus concluded : “ I lament that no occasion, commensurate to my wishes, has permitted me to prove how much I value the confidence of your excellency, and the approbation already expressed by his majesty’s ministers.” In this letter he directly asserts, that he had moved according to the “ commands” of the governor of Canada, and that his past conduct had received the sanction of the British ministry ; but acknowledges that he had not found an occasion to prove his willingness to accomplish the insidious ends of his employers. The conciliatory arrangement with Mr. Erskine, happily, terminated the prospects of success, which his anterior letters had represented in flattering colours.

On the 1st of May, 1809, secretary Ryland, in a letter to John Henry, acknowledged the receipt of his despatches up to the 13th of April ; which, he added, were then transcribing for the purpose of being sent home.

In 1811, Henry visited London, and applied to the secretary of state, the Earl of Liverpool, for a compensation of his services in the mission to Boston. In answer to his application, lord Liverpool, by his secretary Mr. Peel, acknowledged his services in a correspondence as early as 1808, “ during his residence in the northern states of America,” and expressed his “ confidence” in his “ ability and judgment :” but, on the subject of compensation, his lordship was not so satisfactory. Henry estimated his services very highly ; intimating, that by his influence in procuring the legislature of Massachusetts to resist the general government of the United States in its earliest preparations for hostility, a war had been averted. He pleaded a promise of Sir James Craig, that he should have “ an employment in Canada worth upwards of one thousand pounds a year ;” and “ respectfully suggested, that the appointment of Judge Advocate general of the province of Lower Canada, with a salary of five hundred pounds per annum, or a consulate in the United States, *sine cura*, would be considered a liberal discharge of any obligation that his majesty’s government might entertain in relation to his service.” Lord Liverpool pro-

mised a reference of his claim to Sir George Prevost, who had succeeded Sir James Craig in the government of Canada, with a representation "that the public service would be benefited by his employment in a public situation." Whereupon Henry, having received lord Liverpool's letter to the new governor, containing the promised recommendation, returned to Canada, where he was disappointed in his expectations. To indulge "a just resentment of the perfidy and dishonour of those, who first violated the condition upon which he received their confidence," Henry quitted his British friends, repaired to Washington, and proposed, for an adequate consideration, to reveal "a treacherous scheme of the British government, to foment disaffection to the constituted authorities of the nation," and "maintain intrigues with the disaffected, for the purpose of bringing about resistance to the laws; and, eventually, in concert with a British force, of destroying the union, and forming the eastern part thereof into a political connexion with Great Britain."

Henry made a disclosure of his connexion with, and his services to, the British government, for which he was paid the sum of \$50,000, out of the contingent fund for foreign intercourse. As soon as he had made his communications to the American government, and received the consideration mentioned, he left Washington, and embarked, at New York, on board the United States sloop of war Wasp for France.

This affair created at the time much public discussion; each party censuring, or approving the pecuniary grant, according to their feelings on the subject of the disclosure purchased. The friends of the administration, generally, justified the means of obtaining positive testimony of the secret and deadly hostility of Great Britain towards the government of the United States; and of her disposition to plan and execute the most pernicious machinations, to dismember the union, and jeopardize its independence. On the other hand, it was contended, that the public money had been prodigally expended in the purchase of Henry's communications, to rouse the passions of the people against Great Britain, and dispose them to hostility. If evidence had been wanting of a most un-

equivocal disposition on the part of the agents of Great Britain, to disturb the tranquillity, and violate the independence of the United States, even with the relations of peace subsisting between the two nations, it was material to obtain it, and, although the facts prove that the morality of the agent was inferior to his understanding, yet certainly they afford that evidence in the most authentic and incontrovertible shape. This intrigue was justly enumerated among the multiplied aggressions of Great Britain, which together prescribed the course, afterwards pursued to redress them; and was thus energetically represented by the committee of the house of representatives, on foreign relations, in their report recommending war: "It is their duty to recite another act of still greater malignity, than any of those which have been already brought to your view. The attempt to dismember our union, and overthrow our excellent constitution, by a secret mission, the object of which was, to foment discontents, and excite insurrections against the constituted authorities and laws of the nation, as lately disclosed by the agent employed in it, affords full proof that there are no bounds to the hostility of the British government, towards the United States, no act, however unjustifiable, which it would not commit to accomplish their ruin."

In the month of May, 1812, lord Holland, in the British house of peers, presented a motion for the production of copies of all communications made by Sir James Craig to his majesty's secretary of state, relative to the employment of Henry in a mission to the United States of America; of the correspondence that took place between his majesty's secretary of state, and Sir George Prevost, on the subject of compensation claimed by him for his services; and also for copies of all instructions sent to Sir James Craig from his majesty's secretary of state, relative to his employment in the United States.

In prefacing his motion, lord Holland expressly declared, that the subject affected the honour of the British nation, and that it was indispensably necessary that its government should be vindicated against, he trusted, an unfounded charge; a

charge no less, he said, than that, while the two nations were engaged in negotiations upon certain points of national importance, the British government employed a secret agent in the territories of the United States, not for the purpose of procuring intelligence, which he considered a legitimate object, but for the purpose of inducing some of the states of the union to throw off their allegiance to their legal government, and to separate themselves from the rest.

The Earl of Liverpool replied to lord Holland, and stated, that the employment of Henry as an agent, by Sir James Craig, was not authorized by, nor known to, his majesty's government, until many months afterwards. As an apology for the transaction, he adverted to the situation of the United States and Canada. He asserted, that, from the clamour which prevailed in the former, and their warlike and menacing attitude, it became necessary that the governor of the British provinces in North America, should be prepared to avert any hostile stroke that might be aimed at his majesty's dominions in that quarter. He acknowledged that Sir James Craig had sent Henry, in 1809, into the United States, and attempted an extenuation of his conduct.

In reply to the Earl of Liverpool, Earl Grey observed, if all that had been urged in apology for the conduct of Sir James Craig were true, he had no right to employ other than the usual regular measures of precaution and defence. He had no right to endeavour to seduce the American citizens from their allegiance to their own government. This was a step which known preparations for war, on the part of the United States, could not justify; but it appeared that, while the two governments were engaged in an amicable negotiation for peace, Henry was employed in endeavouring to detach American citizens from their allegiance. He saw no way by which satisfaction could be given to America, on this point, or the honour of Great Britain exculpated, unless, by an absolute denial on the part of ministers, or a condemnation of the measures by parliament. The Marquis of Lansdowne concurred in the same sentiments.

Lord Holland demanded the documents necessary to establish the truth of the case ; that so much as had been said to be exaggeration might appear. He trusted, for the honour of the British name, that Henry had been employed merely to obtain information ; but, at the same time, there were strong presumptions to the contrary. The motion was, however, negatived by a majority of forty-six. Although failing in its object, yet this debate produced admissions, by the ministry of Great Britain, entirely justifying the resentment of the United States at the insidious embassy of Henry.

This example ought to warn the people of the United States against the evils of party feuds, by which, principally, was the British government encouraged to send an emissary among them to foment their divisions, disturb their domestic relations, and tempt them to sport with the happiest government in the world. If, in this case, no section of the United States, nor any individuals, were implicated, there were reasons for many to regret that their conduct had invited the agents of a foreign government to make a treacherous experiment on their patriotism. It is to be hoped, that no foreign interferences, in the affairs of the United States, will ever be attended by more fatal results ; and that the people will never again expose themselves to the machinations of those opposed to their liberties, and envious of their happy state.

The excitement occasioned by the embargo of 1807, and other measures of the general government, from that period up to the declaration of war against Great Britain, was not confined to the New England states. It raged with vehemence in Maryland ; and was greatly aggravated by a daily newspaper, published in Baltimore, by Alexander C. Hanson and Jacob Wagner, Esquires, termed "The Federal Republican." On the 20th of June, 1812, its columns were occupied with severe strictures on the declaration of war, which excited a vindictive resentment among those who approved of that measure. In the evening a concourse of people, uttering imprecations against the editors, attacked, and pulled down the office ; totally destroying the types, presses, books, and fur-

niture. This commotion, however, subsided with the night ; and the outrage became the subject of legal animadversion.

On Saturday, the 26th of July, Mr. Hanson, who had in the mean while been absent from the city, was instigated, it would appear, by the unfortunate persuasion of certain political and personal friends, to return to Baltimore. He was accompanied by several persons, from different parts of Maryland, and the District of Columbia, among whom was general Lee.*

Mr. Hanson occupied a house in Charles street, the late dwelling of Mr. Wagner, in which he continued with his friends throughout the two following days. It had been determined to print the Federal Republican in Georgetown, District of Columbia, and issue it from the house in Charles street, which it was resolved to defend by force of arms, if necessary, against any violence that might be offered. It was strongly fortified, and stored with arms and ammunition.

On the morning of the 28th, the paper for that day was received from Georgetown, and distributed through the city. It contained a severe reproof of the mayor, councils, and inhabitants of Baltimore, for their conduct in not repressing the late disturbances with greater promptitude, together with pointed animadversions upon the depredations committed upon the office of the Federal Republican. In the course of the day, it was ascertained, that Mr. Hanson determined on persevering in his system of publication and defence, which aggravated still more the rage of the multitude, and a report began to circulate that the house would be assailed in the evening. A number of gentlemen, citizens of Baltimore, espoused the cause of Mr. Hanson and his associates, and volunteered their services in defence of the office. A crowd of boys and apprentices collected in the street towards night, and by their noise alarmed the people of the neighbourhood.

* This gentleman, known as colonel Lee, in the war of the revolution, was distinguished as an able and intrepid partisan, in the command of a legion of cavalry. He was afterwards governor of Virginia, and a representative of that state in congress.

To prevent a riot or other disturbance, a magistrate caused them to be dispersed. About 8 o'clock, a carriage was seen to stop at the door, and a quantity of muskets and other weapons, being delivered from it, were received and conveyed into the house by persons armed. The boys returned, and recommenced their opprobrious epithets, intended to provoke the people within. They at length hurled stones against the window shutters, and at the door. Until 9 o'clock, not more than five or six men appeared to have joined them. Some gentlemen within the house called from the upper windows to those in the street, desiring them to desist, and declared that the house would be defended by force of arms, against all attempts to force it. A shower of stones followed upon this, when two muskets were fired from the upper story, charged with blank cartridges, to deter the assailants. A person on the pavement, endeavouring to stop the further violence of the tumult, was wounded by something ponderous, thrown from the house. Numbers of disorderly persons flocked towards the spot, and by this time, the collection of boys, fish women, porters and mechanics of every description, had considerably increased. Repeated assaults were now made upon the house. The sashes of the windows were broken, and attempts made to force the door. A volley was fired from within, by which several persons were severely wounded, and one mortally. The mob became furious. The military were called out: but, before their arrival, several shots had been exchanged, and one from the door killed a Dr. Gale, a few feet from the house. This event greatly irritated the mob. They brought up a carronade, and planted it in front of the house, with the intention of making a breach; when several respectable citizens arriving, interposed, and undertook a mediation. A parley ensued. The people in the house consented to surrender to the civil authority, and proceed to the jail, if protected against the fury of the rioters. Assurances to this effect being given, Mr. Hanson and his party, about 7 o'clock in the morning of the 29th, were escorted to the jail, where they were committed. The mayor had applied to bri-

gadier general Stricker for a detachment of militia, adequate to the preservation of the peace of the city: and a regiment of infantry, two troops of cavalry, with two companies of artillery, were ordered on duty for that purpose. The mayor visited the jail in company with the sheriff, general Stricker, and some of the principal citizens, during the afternoon, when some hundred persons, mostly peaceable and orderly, were collected, apparently to ascertain whether it was probable the prisoners would be liberated that night on giving bail. Expostulating with such as were irritated or revengeful, they engaged that the parties should remain in confinement. Their efforts were, for a time, successful in tranquillizing the public mind. All became calm, and it appeared that danger no longer existed about the vicinity of the jail. The mayor consented that the militia should be dismissed, and, with all traces of the multitude, retired from the place.

But, shortly after dark, a fresh scene of confusion, disorder, and fatal violence, presented itself. A crowd of loiterers, inflamed by the vindictive representations of their leaders, again assembled around the jail, determined to inflict summary punishment upon the prisoners. The mayor immediately hastened to the spot, and succeeded, for a time, in preventing their bloody purpose; but fresh bodies of the rioters coming up, he was forcibly carried off the ground; the turnkey compelled to open the outer door; and, admittance being so far gained, the assailants, provided with massy sledges, broke open the inner doors, and rushed upon the prisoners. A horrible catastrophe here ensued; a scene which we could wish blotted forever from the annals of our country. General Lingan, who had served as a brave and active officer in the war of the revolution, fell under a volley of stones and other missile weapons. Eleven others were dreadfully beaten and mangled, while some, in attempting to escape, were seized, dragged through the streets, and experienced the most barbarous treatment. The rioters, not satisfied with this, attacked the house in Charles street, and destroyed or carried off all its furniture.

It were painful to detail the criminations and recriminations, of the different parties concerned in this sad event. Most deplorable is it, that so dreadful an occurrence could not have been prevented by the strong arm, if not of the civil, at all events, of the military power. And though, we are taught to believe, from the experience of other countries, that such aid may be either too tardy or ineffectual in restraining the predominant passions incident to a popular cause, yet, it is a melancholy reflection, that no precaution could avail in this instance, in assigning bounds to lawless violence, or in arresting murderous cruelty by prevention, rather than by punishment.

A commission of eighteen was appointed at the recommendation of the mayor to the city councils of Baltimore, to institute a candid, impartial, and circumstantial investigation of this unfortunate affair, in order that it might be fairly represented to the public. Eight of the councils, and ten citizens, equally selected from both political parties, proceeded on the enquiry, and drew up a particular report of the whole of the circumstances, which was ordered to be printed in all the newspapers of the city.

An outrage of inferior moment took place at Savannah, in November, 1811. Two French privateers, *La Vengeance* and *L'Aigle*, being at anchor off the town, an affray arose between the crews of these vessels, and the American sailors. Three of the latter were mortally stabbed, and their opponents severely wounded with sticks and bludgeons. Exasperated at the conduct of the privateersmen, a party from the shore determined to destroy the vessels, which they effected, burning each to the water's edge, before the civil authority could interpose a force sufficient to prevent it. One French sailor was killed, and several dreadfully maimed.

The last subject to be noticed in this chapter, is a military expedition from the United States, the object of which was to repress or punish depredations upon the inhabitants of the Indiana territory, by a combination of Indians on the Wabash, instigated by the Prophet, a fanatic of the Shawanese tribe. In the autumn of 1811, the murders, and other outrages com-

mitted by the savages, determined the government to adopt measures for the protection of the exposed citizens against further molestation. A small force of regulars and militia was assembled at Vincennes, and placed under the command of William Henry Harrison, Esq. governor of the Indiana territory; with instructions to march to the Prophet's town, and demand a restoration of the property, carried off by his partisans. He was authorized also to obtain redress by coercive measures, if necessary.

On the 6th of November, governor Harrison arrived before the town. Messengers from the Prophet were sent out to meet him; and, after an interview, in which it was mutually agreed that no hostilities should take place before the next morning, when amicable conferences were to be held, the army proceeded to a creek north west of the village, and bivouacked on a bank of dry oak land, considerably elevated, and situated between two prairies. The infantry, in two columns, occupied the front and rear, separated on the left, one hundred and eighty yards, and on the right about half that distance. The left flank was covered by two companies of mounted riflemen, containing one hundred and fifty, rank and file, commanded by major-general Wells, of Kentucky; and the right flank by Spencer's troop of mounted riflemen, to the number of eighty. The front line was composed of one battalion of the 4th regiment of the United States' infantry, under the command of major Floyd, flanked on the right by two companies of militia, and on the left by one. The rear line was formed of another battalion of the 4th United States' infantry, under captain Baen, acting major, flanked by four companies of militia, under lieutenant colonel Decker. Two troops of dragoons, sixty strong, took post in the rear of the left flank; and another somewhat stronger, in the rear of the front line. To guard against a night attack, the order of encampment was appointed the order of battle; and each man rested upon his arms.

One flank was protected by two captain's guards, each of four non-commissioned officers, and forty-two privates; and the other by two subalterns' guards, each of twenty non-

commissioned officers and privates. Just before reveille, on the morning of the 7th of November, 1811, an attack commenced on the left flank, and the piquets were driven in. The first notice of the approach of the enemy was the usual yells of the savages, within a short distance of the line. They had violated the armistice agreed upon to subsist until the ensuing day ; which, it would seem, they had proposed with a view to gain an opportunity of surprising their adversaries, in their usual manner. Nothing but the precaution of encamping in order of battle, and the deliberate firmness of the officers in counteracting the effects of a surprise, saved the army from total defeat. The storm first fell upon captain Barton's regulars, and captain Geiger's mounted riflemen, forming the left angle on the rear line. Some Indians forced themselves through the line, and penetrated into the encampment, where they were killed. The companies thus suddenly and severely attacked, were reinforced with all possible speed. A heavy fire then opened, to the left of the front, immediately on the regular companies of captains Baen, Snelling, and Prescott. A gallant charge by the cavalry, from the rear of the front line, under major Davies, was ordered for the purpose of breaking the Indians, who appeared in great force among some trees a few yards distant in front. The major received a mortal wound, and his men were driven back by superior numbers of the enemy. Captain Snelling's company then charged with fixed bayonets, and the enemy were dislodged. The enemy's fire now extended along the left flank, the whole of the front, the right flank, and part of the rear line. Upon Spencer's mounted riflemen, and the right of Warwick's company, it was excessively heavy. Captain Spencer and his first and second lieutenants were killed ; and captain Warwick fell, mortally wounded. The troops, notwithstanding the fall of their officers bravely maintained their posts, until reinforced. Day approached, when major Wells, reconnoitring the position of the enemy on the left, charged and broke them. At this favouring moment, a small detachment from the cavalry dashed furiously upon the retreating Indians, and precipitated

them into the marsh. Simultaneously with these successful efforts on the left, the enemy were charged on the right by the companies of captain Cook and lieutenant Larabie, supported by the mounted riflemen, who pursued and killed a number of Indians in their flight. Driven now at all points, and pursued as far as the ground would permit, the Indians dispersed in every direction. They were handled so severely, in the end, that they were compelled to abandon many of their killed and wounded on the field, which is, with them, evidence of positive defeat. Forty Indians were found dead on the field. Numbers were carried off, some of whom were found the next day, in holes containing two, three, and four bodies, covered, to conceal them from the victorious army. The general estimated their loss, in killed and wounded, at one hundred and fifty.

The troops throughout displayed the greatest bravery, and effectually resisted one of the most furious assaults, ever experienced in savage warfare. They were saved alone by their soldierly conduct. Had a panic, in the first onset of the savages, produced disorder, they would probably, to a man, have become the victims of the most merciless of foes. Their loss was severe both in officers and men, viz. one aid-de-camp, one captain, two subalterns, one serjeant, two corporals, and thirty privates, killed; two lieutenant-colonels, one adjutant, one assistant surgeon, two captains, three subalterns, nine serjeants, five corporals, one musician, and one hundred and two privates, wounded, besides one major, two captains, mortally.

Major Davies fell early in the action, greatly lamented by all his associates. He held the first standing in Kentucky as a lawyer, and an orator. In the field he was brave to desperation, and in his death a hero. The legislature of Kentucky, in testimony of their regret for the loss of Davies, Owens, and other volunteers, who were slain in this engagement, resolved to wear mourning for thirty days; and appointed John Rowan, Esq. to deliver in the Capitol a funeral oration, in honour of the deceased.

Governor Harrison, on the 9th of November, having burned the town, and laid waste the surrounding settlement, from which he obliged the defeated enemy to fly, returned with his forces into the settled country. The Prophet was immediately abandoned by his followers, who, on his defeat, lost all faith in his supernatural pretensions. Even his life was endangered, by the sudden change in the feelings of those, whom he had too successfully deluded. Most of the Indian tribes, who had been influenced by his impious pretensions, after his expulsion from his imagined sanctuary, offered their submissions, and sued for peace.

CHAPTER XLI.

*State of the Nation at the period of the Declaration of War—
Its Revenue—Its means of Warfare—Of the Public Spirit.*

THE history of the United States forms a striking contrast with that of many other infant nations, and presents to view many useful facts, for those who are disposed to speculate in the philosophy of government. While the early political life of most of the states of the Old World appears stained with crimes, or passed in an almost ceaseless round of warfare, we have seen, that, except in the great convulsion which attended its birth, the republic had kept on a tranquil and noiseless course of existence, which afforded few events worthy of historical notice. From the period of the recognition of independence, to that of the second war against Great Britain, thirty years of unexampled prosperity had elapsed, during which it had been silently but rapidly passing from a state of feeble and sickly infancy to one of vigorous manhood. If we except the merely nominal war against the republic of France, which occupied a few weeks of the administration of president Adams, no event had occurred to impede the progress of the country, until the aggressions which led to the hostilities with England.

With a powerful and efficient government, a population trebled in amount, and an overflowing treasury, the United States of 1812 were, in appearance at least, a century of ordinary time in advance of the republic of 1776. The signal success, therefore, which had attended their exertions in the war of independence, made it natural to suppose that the issue of the approaching hostilities with the same power would not be less creditable to their military energies.

But a long period of profound peace, however pleasing it may be to the moral eye, is not calculated to prepare a nation

for the arduous task of warfare. With the growth of the commercial prosperity of the republic, the military art had declined: and although the individuals of whom its future armies were to be composed, were as brave and zealous as those who had achieved independence, yet were there few who had sufficient skill or experience to lead them against an enemy.

Neither was the situation of the finances, depending, as they chiefly did, upon a prosperous state of commerce, so flattering in reality as to superficial observers it might have appeared. From the period of the accession of Mr. Jefferson to the executive office, the revenue of the United States had consisted almost solely of the proceeds arising from the duties on imported goods. The conflicts of Europe, which succeeded the French revolution, while they proved, in many instances, a source of inconvenience to the republic, increased to an enormous extent its commerce, which added to the wealth of its citizens, and multiplied the importation of dutiable commodities.

In the year 1809, the receipts into the treasury, from the customs alone, amounted to upwards of sixteen millions, leaving an excess, beyond the expenditure of that year, of ten millions of dollars; applicable to the reduction of the public debt, and to other purposes of national utility. But, the embargo of the succeeding year, which at once reduced this income to a sum little exceeding seven millions, was sufficient to have evinced the impropriety of placing great reliance upon any species of national revenue not arising from internal imposts. With the removal of the embargo, the financial situation of the country again improved: and the lesson which the experience of the preceding year should have inculcated, was forgotten in the prospect of an overflowing treasury. A temporary loan obviated the inconvenience which might have been experienced from the restrictions on importations, and the future was left to be provided for as the emergencies of the moment might dictate.

With an income, therefore, arising almost solely from commerce, was a war undertaken, against a nation whose power was sufficient, apparently at least, to sweep the greater part of

that commerce from the ocean. Of this primary and fundamental error, both the government and people had afterwards sufficient reason to repent ; and as it is to be supposed that the administration was aware of the precarious nature of its pecuniary means, the omitting to recommend a provision for a permanent revenue was a most culpable neglect. If, as it has been believed, the imposition of internal duties was delayed with a view of continuing the popularity of the war, the procedure can hardly be too severely censured. The government should have done its duty at all hazards, leaving the rest to the good sense and patriotism of the people.

In pursuance of legislative provision, the secretary of the treasury is bound to make an annual report to congress, of the receipts and expenditures of the government for the preceding year. The statement for 1811, made a few months previous to the declaration of war, estimated the annual revenue, after that period, at six millions six hundred thousand dollars ; and the expenditure, calculated on the same principle, at upwards of nine millions of dollars. The arrangements, however, which were necessary to be made for a state of war, increased the probable charges on the treasury to a sum exceeding seventeen millions : two methods were therefore adopted, to obtain the necessary addition to the public revenue. An increase of one hundred per cent. on the existing duties on imported goods, and on the tonnage of vessels, was made by an act of congress, passed on the first day of July, 1812 : and, by a preceding act, the president was authorized to receive subscriptions to a loan, not exceeding eleven millions. From these sources it was expected a revenue would arise, exceeding, by about two millions, the expenses of the first year of warfare.

Such were the pecuniary means with which the constituted authorities were furnished at the declaration of war. It may be proper now, to take a cursory view of the nature and extent of the forces by which its objects were to be attained, and to consider how far the efforts of the government were likely to be seconded by the public spirit of the people.

One of the first measures adopted by the party which came into power with the elevation of Mr. Jefferson, was to reduce the army within very narrow limits, and an act for the reduction of the navy was passed on the day when Mr. Adams's administration closed. Until the year 1808, the whole military establishment of the United States scarcely amounted, including officers, to three thousand men. When the great extent and uncertain frontier of the republic are considered, it can hardly be doubted but that this force was quite insufficient. The pecuniary saving by no means compensated for the risk to which it exposed the present and future peace of the country. This economical system, however, continued until the increasing provocations of the European powers evinced the necessity of greater preparation. In the year 1808, the army was accordingly augmented, by an addition of about six thousand men: and in January, 1812, the congress directed another force, amounting to upwards of twenty-five thousand, to be raised. The entire regular army, then authorized by law, exceeded thirty-five thousand, including officers; and consisted of seventeen regiments of infantry, three of artillery, one of light artillery, two of dragoons, and one rifle regiment, the whole being commanded by two major-generals. In addition to this force, the president was authorized to accept the services of any number of volunteers, not exceeding fifty thousand, who were to be armed and equipped by the United States; and a similar authority was given to him to call upon the governors of the states for detachments of the militia, the whole of which was not to exceed one hundred thousand.

However imposing the united amount of these forces may appear, they wanted many requisites of an efficient and formidable army. The act authorizing the addition of twenty-five thousand men to the regular troops, had been passed so short a time previous to the declaration of war, that scarcely one-fourth of that number could have been enlisted, the great mass of whom were necessarily raw and undisciplined. The volunteers and militia, more especially the latter, were a species of force the utility of which was at least doubtful, unless for purposes of defence. Brave and patriotic, as individuals,

both reason and experience should have taught their insufficiency to contend with the veteran and disciplined forces of the enemy. With the assistance, indeed, of experienced officers, even the most undisciplined militia may be rendered efficient, if their term of service be not limited to too short a period. Such, however, had been the decline of the military art in the republic, that there were few of its citizens to be found who were acquainted, practically, with even the manœuvres of a regiment, and still fewer capable of directing the operations of an army. The greater part of that illustrious band who served in the war of independence, had followed their immortal leader to the grave; and many of those who survived were disabled, by age or infirmity, from taking part in another conflict. A considerable portion of the appointments, however, to the chief offices of the army, were made from those who were supposed either to have displayed talents or acquired experience in that war. Henry Dearborn, who had served with considerable reputation, under the immediate eye of Washington, received the commission of major-general, and was appointed to the command of the northern army; while a similar rank, with the direction of the forces in the southern department, was bestowed upon Thomas Pinckney, who had also acquired distinction in the war of the revolution. Such was the nature and organization of the military force with which the war commenced. The state of the navy, although it attracted at the moment less of the public attention, is not less deserving of notice.

Both the physical and moral situation of the people of the United States are calculated to render them expert in the arts of navigation. With a long line of coast, bounded by the waves of the Atlantic, into which rivers, of a breadth and depth unknown to the inhabitants of Europe, pour their navigable waters; harbours extremely well calculated for commerce and the protection of fleets; the interior of the country covered with materials for the construction of vessels; the soil producing almost spontaneously every species of merchantable produce; the greater part of the people also claiming a common descent with, and bearing a close affinity to, the most commercial na-

tion of the Old World, it is not surprising that the seamen of the republic should be ranked among the most brave, hardy, and adventurous of navigators.

A republican form of government is admirably adapted to foster a spirit of maritime enterprise. Commerce unshackled, except in cases of emergency, by the restraints with which monarchs are sometimes pleased to invest it, spreads itself over every quarter of the globe. The sense of personal independence, and loftiness of soul, which an equal enjoyment of rights is calculated to produce, extends to all classes of the community: and the histories of Carthage, of Genoa, and of Holland, exhibit proofs of the valour and enterprise of republican seamen. But, it is not less true, that republics are frequently as well disposed to listen to the suggestions of prudence and economy, as to the more delusive whispers of military renown. The general diffusion of education, and the height to which the art of printing has been carried, combined with other circumstances, have made the people of the United States, above all others, a thinking and calculating nation. Averse, from principle, to expensive national establishments, they have subjected the deception of military renown to the crucible of calculation, and whenever the immediate danger was past, have reduced their naval and military establishments below what prudence would have justified.

With these points of character, it is not surprising that the United States, although possessed of a commerce rivalling in extent that of the most maritime nation of Europe, should not, until a late period of her history, have thought proper to establish a naval force, almost always the accompaniment of an extended navigation. During the war of the revolution, we have seen that the naval conflicts were chiefly those of small vessels, and the glory attained by the land forces was of so brilliant a nature as to cast into the shade the achievements of the infant marine. The policy of the great man who filled the chair of state during the first eight years of the new confederation, although it encouraged the gradual formation of a navy, produced no practical result during his administration. The short-lived war with France, which took place subsequently to

that period, gave occasion to a few brilliant exploits on the ocean, but did not tend to make a naval force popular with the great mass of the community. During the first part of the administration of his successor, and until the provocation of the Mediterranean pirates had awakened the slumbering spirit of the nation, the navy held a feeble and sickly existence, its capacity being adapted, as its services amounted, to little more than the enforcement of the revenue laws. The exploits, however, of the gallant band, who, in the vicinity of the ruins of Carthage, and of the grave of Regulus, rendered formidable the name of the rising republic, created a temporary enthusiasm in their favour, which had so far subsided, that at the period of the declaration of war against England, notwithstanding the insults received, and the temptation to revenge them on the theatre on which they were committed, the navy of the republic was of so diminutive a size as rather to excite attack, than to be considered as a means of defence.

From the official report made to congress, in the winter of 1811-12, it appeared that the whole navy of the United States consisted of ten frigates, five of which were laid up in ordinary, ten sloops and smaller vessels, and one hundred and sixty-five gun-boats, only sixty of which were in commission. With this petty force, which was the subject of ridicule to those superficial observers who had been accustomed to estimate the strength of a navy more by the number of its vessels, and the weight of its cannon, than by the skill and intrepidity of its seamen, was a maritime warfare commenced with an enemy, whose thousand ships made her the mistress of the ocean. Accustomed to consider her in this light, both from her overwhelming force and the fame of her former exploits, there were few of the citizens of the republic, with the exception of those determined spirits whose lives and characters were at issue upon the event, who did not look upon an attempt to cope with even an equal force of the enemy, as rash and hazardous.

Previous to entering into a detail of the events which succeeded the declaration of war, it remains that we should take a slight glance at the effect produced by that important act

upon the minds of the people, in the different quarters of the Union. Notwithstanding the injuries the United States had suffered at the hands of their enemy, and the preparations which had been publicly making for a state of war, during several months, the event, though so long delayed, excited surprise in the minds of many. The opinion had been prevalent, both in America and Europe, that the rulers of the republic, either fearing a loss of popularity from the necessary imposition of taxes, consequent upon a state of war, or believing the frame of government unable to stand the shock, would not venture the political bark into the untried ocean of hostility. The public voice, however, from all quarters, had long called for a manly assertion and support of the national rights. The expedients of restraints upon commerce, and of conciliatory propositions, had signally failed; and all parties, tired of the uncertain attitude of the nation, demanded a change in its policy and measures. The opposition, however, in congress, to the proposed resort to hostilities, had been uniform and decided in every step, on the part of a minority, respectable for their talents and the section of country they chiefly represented. The inhabitants of the north-eastern portion of the Union, although perhaps the greatest sufferers by the predatory measures of the British government, were the most averse to hostilities, as they probably conceived that the weight would fall most severely upon that quarter; and of their representatives the minority was chiefly composed. It was to be expected, therefore, that the act declaring war would not receive the undivided approbation of the people, however far they might conceive themselves bound to conform to the state in which it placed them.

The opponents of the war were of two descriptions: those who held that it was unjustifiable on principle, as well as inexpedient on all grounds; and those who agreed with its advocates that abundant provocation had been given, but denied that the nation was sufficiently prepared for the conflict. Among the first were, of course, included all those who, by reasons drawn from religion or morality, held hostilities of

every kind unlawful; and whose passive forbearance, therefore, no injury whatever could have tempted into an approbation of a redress by force of arms. In this class, also, was contained no inconsiderable number of persons, who, regarding the close affinity of the two nations, in language, religion, and manners, as well as their common descent, and forgetting in their attachment to England the enormous outrages she had heaped on the republic, were accustomed to think of a state of warfare between them as unnatural and almost impious. Many of those who opposed the war, in the New England states, were of this opinion, which they promulgated with great emphasis and vehemence.

Those who considered the war inexpedient, at the moment it was declared, from the want of sufficient preparation, held, that the naval force ought previously to have been augmented, the army enlistments to have been completed, and the exposed Atlantic frontier put in a state of greater security. There were many, also, who thought that redress for past injuries might yet have been obtained by negotiation. The minority of congress, the legislatures of Massachusetts, Connecticut and New Jersey, as well as several of the *inferior* commercial cities, protested against the war, in public addresses, which produced no small effect upon the opinion entertained by the enemy of its probable duration. But a great majority of the people of the United States was unquestionably in favour of the war, on all grounds. The remembrance of the cruelties of the revolution, added to the recent, and, as they thought, not less flagrant injuries inflicted on the country, rankled in their minds, and disposed them to receive with approbation every measure which tended to hostility. This state of feeling was more especially observable in the western states, the people of which were almost unanimously hostile to the British government. In some places, the act declaring war was received with illuminations and rejoicings, as a second declaration of independence. The great commercial cities of New York, Philadelphia, and Baltimore, the inhabitants of which were liable, in a greater degree, perhaps, than any others, to the

sufferings and privations incident to a state of warfare, passed resolutions approving of the conduct of the government, and pledging themselves to support it; and, upon the whole, the war was commenced with the decided approbation of a great proportion of the people, and with the good wishes of many who considered it improvidently undertaken.

CHAPTER XLII.

Account of the Indian tribes on the north-western frontier of the United States—Invasion of Canada by general Hull—Surrender of Mackinaw—Evacuation of Canada—Skirmish at Brownstown—Battle of Maguaga—Capture of Fort Chicago—Surrender of Detroit and of the north-western army.

AS the operations of the armies of the United States on the north-western frontier, were materially connected with, or impeded by, the situation of the Indian tribes in that vicinity, it may not be out of place, to give here a brief sketch of the position of this people, and of their political relation with the republic. “The great water,” (to use the expression of one of their most distinguished chiefs,) which, since the discovery of America, has been flowing to the west, has carried before it most of the aboriginal tribes, who, either yielding to the current, or driven back by its force, have successively given up their territory, from the Atlantic to the lakes.* The treaties by which the United States had gained their accession of country, had been made chiefly with separate tribes, who, divided among themselves, by their own private enmities, were unable to oppose the united force of the nation. The confederacy, however, of 1794, which was destroyed by the victories of general Wayne, at first promised to oppose a formidable barrier to further encroachments: but the treaty of Greenville, by which they surrendered a very extensive tract of country, left them crippled in power, but still hostile in

* Among the tribes who are enumerated by general Harrison, as occupying the north-western frontier, are the remains of the Delawares, the original inhabitants of Pennsylvania and Maryland. See his report to the government, in M’Affee’s History of the War in the Western Country; a work which contains much useful information, said to be derived from the highest sources.

disposition to the United States. From that period, until the battle of Tippecanoe, the greater part of the Indian tribes appear to have lived in an unsettled and dubious state, fluctuating between the desire of revenge and the fear of total extermination; bartering their remaining lands for powder and whiskey; and gradually diminishing in numbers, from indolence and intemperance. The war party was led by Tecumseh, a Shawanese chief, who appears to have possessed all the attributes and qualities which, among civilized nations, gain for their possessor the titles of hero and patriot. Brave, sagacious, and enterprising, he left no means untried to retard, at least, if he could not prevent, the approaching extermination of his tribe. He foresaw that the policy of the United States, which recognized no community of interest among the Indians, could not fail to produce a gradual dereliction of their native territory by his countrymen: and he lamented the fatal prevalence of intemperance, under which their numbers were rapidly dwindling. He directed all his efforts, therefore, to persuade them to abjure this pernicious practice: and his favourite object was the formation of a confederacy, which should have for its basis the equality of right to the whole of the land, and was to be supported by an union with the British, in the event of a war, with a view to the recovery of their lost territory.* He visited, in person, all the tribes west of the Mississippi, and on lakes Superior, Huron, and Erie, exciting them to hostilities, by the appeals of religion and interest; and the battle of Tippecanoe, which would have destroyed the expectations of ordinary men, appears only to have given him occasion for the display of new boldness and address. From the period of that conflict, to the commencement of hostilities with England, he seems never to have lost sight of the great object of his endeavours; but difficulties, insurmountable even by his genius, arose from the wandering habits and mutual enmities of the different tribes. What was the number of warriors, with which he joined the British forces, does not appear to have been ascertained. That he was

* See M'Affee, p. 9.

an active and most powerful coadjutor, whose thirst for revenge was neither checked by principles of humanity, nor by the interference of his allies, the history of the war we are about to narrate bears a melancholy proof; and to the last moment of his life he continued faithful to the cause he had undertaken, and to the enmities he had imbibed.

The principal tribes in the vicinity of the north-western frontier, were, the Wyandots, the Delawares, the Shawanese, the Miamies, the Pottawatimies, the Ottawas, the Chippewas, the Piankashaws, the Kaskaskias, and the Sacs.* Most of them appear to have been hostile to the United States, and from their knowledge of the intricate and difficult country through which the operations of the war were necessarily to be conducted, and their peculiar manner of fighting, were capable of rendering the most important services to their allies.†

For some time previous to the period contemplated for the commencement of hostilities, the government of the Union had been collecting together a body of forces on the north-western frontier. In the month of April, 1812, the president, in pursuance of the authority given him to call out one hundred thousand militia, had made a requisition upon the local authority of the state of Ohio for twelve hundred men. The people of the western states, as we have before observed, were unanimous and enthusiastic in favour of the war. This number was immediately filled by volunteers, who assembled at Dayton, in that state; and were divided into three regiments, of the first and third of which Duncan M'Arthur and Lewis Cass were elected colonels. The command of this force was vested, by the federal government, in William Hull, then governor of the Michigan territory, who had served with reputation in the war of the revolution, and had recently received the appointment of brigadier-general in the regular

* Harrison's letter to the secretary of war. M'Affee, p. 43.

† It is difficult to discover the amount of the force they brought into the field. Six hundred Indians are said to have aided general Brock in the capture of Detroit. We hear afterwards of a thousand, and subsequently of fifteen hundred having co-operated with the British force.

army. With this force, the 4th United States' regiment of infantry, and some detachments of other regiments, the whole amounting to about twenty-five hundred men, he arrived at Detroit on the 5th of July, having been obliged to cut his road for nearly two hundred miles, from the settlements on the Ohio, through a swampy and intricate wilderness. About the first day of July, the army arrived at the river Raisin; the news of the declaration of war had been communicated to it by the commanding officers, and was received with every mark of approbation. It appeared, however, that the British had acquired earlier information of this important event, from the capture of a small vessel under the guns of fort Malden, which had been despatched by general Hull from the rapids of Miami for Detroit. To whatever cause this superior facility in obtaining information may be attributed, the consequences, as we shall have occasion to observe, were to the last degree injurious to the American cause. It may, in some measure, arise from the nature of the republican government, that no national measure can be concealed for any length of time; yet the administration must have had at least equal means with the enemy of communicating with the frontier, and much of the disasters which followed must certainly be attributed to this culpable negligence. Having employed the intervening time in preparations for the invasion,* the army crossed into Canada on the 12th of July, without opposition; and the headquarters of general Hull were established at the village of Sandwich. From this place he issued a proclamation, to the inhabitants of the province, promising them the blessings of peace, liberty, and security, and assuring them, in a pompous and lofty tone, to which his subsequent conduct afforded a melancholy contrast, that his force was sufficient to "look down all opposition;" and was, besides, but the van guard of one much greater.

* M'Affee, p. 60. He says, they were employed in making carriages for the cannon, &c. Contrast this with general Hull's despatch, where he declares that "not a single cannon nor mortar was on wheels, sufficient to carry before Malden."

Encouraged by these promises and assertions, many of the Canadians remained quiet at their places of residence, or attached themselves to the American army : and many sanguine persons anticipated the speedy conquest of all Upper Canada. But it soon became evident, that the difficulties in the way of any ulterior operations in the territory of the enemy, were too great to be surmounted by the abilities or address of the commanding general. Malden, or Amherstburg, which it was necessary to possess before any further progress could be made, is situated on the borders of lake Erie, at the mouth of the river Detroit, and is defended, on the approach from Sandwich, by a fort, which appears to have been garrisoned, at the landing of general Hull, by about six hundred men, one half of whom were militia. From its local situation, being eighteen miles nearer than Detroit to the settlements on the Ohio, and, being separated from Brownstown, through which the supplies to the American army must pass, by a narrow strait alone, it is evident that the British commander would have it in his power to intercept the communications of his enemy, by throwing a force in his rear. Circumstances which occurred soon after the landing of the American forces at Sandwich, enabled him to do this with considerable effect.

Fort Michillimackinac, or Mackinaw, as it is commonly termed, is situated on an island of the same name, in lake Huron, near to its junction with lake Michigan ; and, from its position, was of great service in restraining and overawing the Indian tribes in its neighbourhood. It ought therefore to have been put in a better state of defence, both by fortifying an eminence which commanded it, and by an addition to its garrison. Such, however, was the mismanagement of that period, that the first intimation its commander received of the declaration of war, was conveyed in a summons to surrender his fortification to a body of British and Indian troops, consisting of upwards of a thousand men. His own force amounted to but fifty-seven effectives, including officers ; and, as the enemy had possession of the heights that commanded the fort, no alternative remained but a surrender, which was made upon honourable terms.

The effect of this unfortunate occurrence upon the minds of the Indian tribes in the vicinity, was such as might have been expected from their known character. Those who had been deterred from commencing hostilities by the vicinity of an American force, were now at liberty to pursue their designs unmolested; those who had been hesitating, were now decided; and "the whole Northern Hive," to use the expression applied by general Hull, "came swarming" on the flanks and rear of the American army.

In the mean time, the greater part of that army had lain inactive at Sandwich, within a few miles of Malden; detachments being occasionally sent out, for the purposes of reconnoitring and of collecting provisions, and some skirmishes taking place of little importance. On the 16th of July, however, colonel Cass, with about three hundred men, penetrated to within four miles of Malden, in a southerly direction, forcing the passage of the river Aux Canards, and obtaining possession of the bridge. The enemy, who left nine or ten wounded, some killed, and two prisoners, consisted of a strong detachment of the 41st regiment, some militia, and a body of Indians. It seems to have been fully expected that this important post would be retained* and strengthened: but no orders to that effect being received from the proper authority, the detachment returned to camp; and it was discovered, on the succeeding day, that the enemy had destroyed the bridge, and erected a breast-work on the south side, to defend the passage of the river.

From this period until the 4th of August, no event of material importance occurred. It would seem, from the official despatch of general Hull, that this all-important time had been passed in the construction of carriages for the heavy cannon, and other preparations for the siege of Malden. But the delay, as might have been expected, gave the enemy an opportunity to reinforce that post, to extend his chain of connexions with the Indian tribes, and to discipline his militia; and, by ren-

* The majority, however, of a council of the officers of the detachment, it appears, had decided against retaining it. M'Affee's Hist. p. 65.

dering him less anxious for the safety of Malden, enabled him to detach part of his force in the rear of the American army. Whether it would have been prudent to have advanced before Malden without the heavy artillery, may perhaps admit of a doubt, although it is very probable a surprise might, in the first instance, have been effected; but it can hardly be questioned, that the attempt at least ought to have been made when the artillery was in a state to proceed. That the invasion of Canada, at the period in which it was undertaken, without sufficient military preparations, with the enemy in command of the lake and all the water communications, the greater part of the Indian tribes in a state of hostility, and the communication with the resources of the invading army almost at the mercy of the enemy, would be productive of any material benefit, was little to be expected. But, from the day on which the army entered Canada, its operations appear to have been conducted without any definite plan, while the conduct of the commander was marked with a singular inconsistency and irresolution, which soon withdrew from him the confidence of his troops.

The evil consequences of the surrender of Mackinaw began now to be severely felt. Early in August, information had been received, that a supply of provisions for the army, escorted by a company of volunteers, was near the river Raisin, on its way to Detroit; while a force, composed of British and Indians, but principally of the latter, had been detached from Malden to Brownstown, for the purpose of intercepting it. To open the communication, therefore, major Vanhorne, of the Ohio volunteers, was despatched, with about two hundred men, from Sandwich, on the 4th of August. As he approached Brownstown, information of the vicinity of the enemy was communicated to him, to which he appears to have paid little attention, but proceeded with his force in rather loose order, until, arriving at a narrow prairie, skirted by thick woods, he was fired upon, from all sides, by the Indians. The troops being thrown into some confusion, a retreat was immediately ordered, which was continued to the river De Corce. The loss of the detachment appears to have been considerable, es-

pecially of officers, seventeen in all being killed, and several wounded, who were left on the field. Among the killed were captains Riley, Gilchrist, and Boerstler, lieutenant Peats, and ensign Rubey. The force of the enemy was variously stated, and was of course much exaggerated by those whose precipitate retreat prevented their making an accurate estimate. It is supposed, by respectable authority, not to have exceeded one hundred and ten men, seventy of whom were Indians.*

In the mean time, a council of war had been holden at Sandwich, at which it was resolved, two dissenting voices only being heard, that an immediate attack ought to be made upon Malden. Preparations were accordingly made, and a general order was issued, on the 7th of August, with a view to this long-delayed operation. The astonishment of the army may, however, be conceived, when, on the next day, instead of the anticipated triumph, the whole force was ordered to re-cross the river, and encamp in the rear of Detroit, all offensive operations being thus apparently given up. The order appears to have been sullenly and reluctantly obeyed; and the news of the defeat of major Vanhorne's detachment arriving soon after, the dread of further misfortune was added to the sensations of shame which the relinquishment of the enemy's territory was calculated to inspire.

It appears to have become necessary now to make another attempt to open the communication with the supplies advancing for the support of the army. On the 8th of August, therefore, on the same day the army had re-crossed, lieutenant colonel Miller, of the regular army, was detached, for this purpose, with majors Vanhorne and Morrison, of the Ohio volunteers, having under them about six hundred men, consisting of the 4th, and two small parties of the 1st United States' regiments, a corps of artillerists, with a six-pounder, and detachments of the volunteer cavalry and infantry. On the afternoon of the 9th, the front guard, under captain Snelling, was fired on from the thickets near Maguaga village, about fourteen miles from Detroit; he maintained his post

* M'Affee's Hist. p. 75.

with great bravery until the main body came up. The British force now appeared to be formed behind a breast-work of logs, having the Indians in a thick wood on their left. Colonel Miller ordered his whole line to advance, and their fire being delivered when within a short distance of the entrenchment, a general charge was made by the American force. The enemy was routed, and their whole body driven two or three miles from the scene of action. The Indians, under Tecumseh, appear to have fought with great obstinacy, and to have suffered more than their allies, forty of them being found dead on the field, while only fifteen of the British regulars were killed or wounded, and five remained prisoners.* The loss on the side of the Americans appears to have been much greater, eighteen having been killed, and sixty wounded; of the latter were captain Baker, lieutenants Larabee, Peters, and Silly, and two ensigns, all of the regular force.

This victory, however gallantly obtained, produced no beneficial result. Colonel Miller proceeded indeed with his detachment to Brownstown; but, being encumbered with his wounded, and short of provisions, he was obliged to halt there until a supply was obtained; colonel M'Arthur was then detached from Detroit for this object, which he effected with great difficulty, and brought off the wounded; but orders being soon after sent by general Hull for that purpose, colonel Miller, with his whole force, returned to Detroit: and thus ended the second attempt made by the American commander to re-establish a line of communication with his resources.

About this period, an event took place in another part of the command of general Hull, which may be considered as an important link in the chain of misfortunes that the republic appeared destined to experience from the agency of this unfortunate commander.

Captain Heald, who commanded at Chicago, a fort situated at the south-west extremity of lake Michigan, received orders to evacuate that post on the 9th of August, and proceed with his command to Detroit. On the morning of the 15th, with the

* M'Affee's Hist. p. 79.

troops, consisting of about seventy men, accompanied by some women and children, and about fifty friendly Indians, he marched from the fort. He had proceeded but a short distance, when he was attacked by a large force of savages. With his small party, he made a determined resistance, until, many of them being destroyed, he consented to surrender, on the offer of protection from an Indian chief. Most of the survivors, however, were brutally treated by the savages, after the surrender. Twenty-six of the regulars and all the militia were killed, with *two women and twelve children*. Mrs. Heald, the wife of the commander, was amongst the wounded. To record events like this is one of the most disagreeable of the tasks of an historian; when the facts are undisputed, however, it is his duty to narrate them, and to add, what posterity will less readily believe, that these barbarities were perpetrated by the acknowledged allies of a nation which boasts itself as the defender of the most mild and humane of religions.

The situation of the American army began now to grow very critical. On the 14th, a detachment of three hundred men, under colonels M'Arthur and Cass, was sent to endeavour, by a circuitous route, to obtain a communication with the river Raisin. This body, after marching about twenty-four miles, was entangled in a marsh, and, being short of provisions, it was judged expedient to return. But, in the mean time, affairs at Detroit had been brought to a crisis.

On the day the detachment under colonel M'Arthur had marched, general Brock assumed the command of the British forces at Malden, and took post at Sandwich, with about thirteen hundred men, according to his official statement, of whom about three hundred were regulars, and six hundred Indians, with five pieces of cannon. On the same day, they erected batteries opposite fort Detroit, within point blank shot of its guns, without molestation from the American army; and, on the 15th, a summons to surrender was received by general Hull, to which an immediate refusal was returned. The enemy now opened their fire from their batteries upon the town, which was returned with precision and effect. At daylight, on the 16th, the cannonade was renewed; and their whole force soon

afterwards crossed the river, and landed at Springwells, about three miles west of Detroit. Here the British general, who, it is believed, had not intended an immediate attack, heard of the absence of colonel M'Arthur with his detachment, and resolved upon forcing the American camp.

The American army appears, in the mean time, to have awaited, with coolness and good order, the approach of the enemy. Two twenty-four pounders, loaded with grape, were planted in a favourable situation for annoyance. The regular troops were placed in the fort, and the militia and volunteers behind pickets, when, to the astonishment of every one, the whole force was ordered to retire into the fort, where their arms were stacked, and the artillery-men were forbidden to fire. Here, crowded as they were in a narrow compass, almost every ball from the enemy's batteries took effect, and the general soon ordered the white flag to be hung out, in token of surrender. In a short time the terms of capitulation were agreed upon; the whole army, including the detachment of colonel M'Arthur, and the force under captain Brush, at the river Raisin, being surrendered prisoners of war. The enemy found in the fort an ample supply of ammunition and provisions. Forty barrels of powder, four hundred rounds of twenty-four pound shot, one hundred thousand ball cartridges, two thousand four hundred stand of arms, twenty-five pieces of iron and eight of brass cannon, rewarded the enterprise of the victors, while they displayed the incapacity, or pusillanimity of the American general.

In the course of the same day, the detachment under colonel M'Arthur returned to the vicinity of Detroit, where, in conformity with the capitulation, they were compelled to surrender. The militia and volunteers were dismissed on their parole, while the regular forces, with their unfortunate general, were marched into Lower Canada, and paraded in boastful triumph through the streets of its capital.

Thus ended, in discomfiture and disgrace, the first campaign of the British war. That it was badly planned, and improvidently undertaken, hardly admits of a doubt; but it is equally clear, that the principal part of the subsequent disas-

ters must be attributed to a deficiency of judgment or courage in the commanding officer. The surprise with which the orders to surrender were received by the army, was only equalled by their indignation: and it appears, that it had been seriously intended, by his officers, to deprive him of a command, of which he was palpably unworthy.

The news of this calamitous event was received with no less surprise and mortification throughout the republic. Expectation had been raised to such a height, by the assured language of previous despatches, that nothing less than the capture of all Upper Canada was anticipated. The surrender, therefore, of an American army, to an inferior force, together with the cession of a large district of country, were events which, as they had never entered into the calculations of the people, it required more than ordinary firmness to bear. The inhabitants of the western states, in particular, whose interests were most immediately affected, and whose disappointment was perhaps greatest, were struck with regret and mortification.

The commanding general was openly accused of imbecility and cowardice: and there were not wanting many who believed that he was a pensioner of the enemy.

Being exchanged, some time afterwards, he was brought to trial before a court-martial, on the charges of treason, cowardice, and unofficer-like conduct. Of the first the court declined taking cognizance; but found him guilty of the second and third, and sentenced him to death.

In consequence of his age, however, and revolutionary services, they recommended him to the mercy of the president, by whom the capital punishment was remitted. His name was directed to be stricken from the rolls of the army: and he was permitted to pass the remainder of his life in a disgraceful retirement; to a lofty and an honourable spirit, a punishment worse than death.

CHAPTER XLIII.

Events on the north-western frontier, continued—Public spirit of Kentucky and Ohio—General Harrison—Siege of Fort Wayne—Expeditions of General Tupper—Defence of Fort Harrison—Expeditions of General Hopkins—of Colonel Russell—of Colonel Campbell.

THE disastrous events which had happened upon the Michigan frontier, while they excited the deepest mortification in the breasts of the American people, diminished not their zeal and patriotism, but rather seemed to invigorate them to new exertions. The western states, in particular, evinced, by their boldness and activity, a determination to redeem the pledge they had given the government, to support them with their lives and fortunes, in the prosecution of the war. The loss of their friends and relatives inspired them with a desire of revenge, and their love of country prompted them to retrieve its tarnished honour. All classes and ages appeared to be animated with the same military ardour: the surviving veterans of the war of independence again volunteered in defence of the republic; and even the females, whose disposition seems to unfit them for the turbulence of hostility, renewed the days of Spartan patriotism and devotion. The whole of the state of Kentucky, indeed, has been represented as a continued scene of preparation: and although we cannot but regret that greater pains were not taken to discipline the forces, and thus render them practically formidable, yet no country could, perhaps, produce individuals of greater enterprise and fearlessness. Accustomed, from his infancy, to the use of the rifle, and the perils of a hunter's life, the inhabitant of the western borders acquires a precision in the art of firing, a hardihood and contempt of danger, with which ordinary men are unacquainted. The lofty sense, too, of personal independence, which is a striking characteristic of the citizens of the United States,

evinces itself, perhaps, most strongly in the west, and, combined with their other moral peculiarities, has given the never-tiring spirit of European slander an opportunity to stigmatize them as barbarians ; than which no reproach can be more unjust. The ferocity of savage warfare appears to have been wholly unknown in their operations : and though tempted, by a natural spirit of revenge, to retaliate on their Christian enemy the outrages they had suffered from his allies, the history of the war in the western country is stained by few of the excesses of even civilized hostility.

But, however adapted their character and disposition might have been to scenes of individual enterprise, these circumstances rendered them, in a great measure, unfit for the higher operations of an army. Generally undisciplined, and owning little more subjection to the military, than to the civil authority, they were materially deficient in that subordination, which is the life and soul of an army ; and the universal eagerness of the people to participate in the danger, as well as glory of the campaign, proved a source of inconvenience, in many instances, to the government. It is to be lamented, therefore, that measures were not taken, at an early period, to obtain a regular and permanent force, leaving it to the militia and volunteers to pursue that desultory warfare, to which they were so well adapted. If this were impracticable, it was the duty of the government to select officers for their command, by whom the rules of discipline would have been strictly enforced, as well as that military instruction communicated, without which no army can be efficient. If this course had been adopted, many of the unfortunate events, we are about to narrate, would not, in all probability, have occurred, nor would the republic have been compelled to witness its best interests sacrificed, in many cases, to a sordid love of popularity.

Previous to the surrender of Detroit, preparations had been made, in the state of Ohio, for the formation of an additional army. The suspicions entertained by many of his officers, of the capacity or courage of their general, had induced them to despatch private communications to the governor of that state,

requesting reinforcements and assistance. In pursuance of this call, the remaining portion of the detached militia of the state, amounting to twelve hundred men, were immediately ordered to be embodied, and marched to Urbanna, under the command of brigadier-general Tupper. But it was in the state of Kentucky that the greatest exertions were made. The whole quota of that state, consisting of five thousand four hundred men, was composed of volunteers, and had been organized into ten regiments, previous to the war. Three of these regiments, together with the 17th United States' regiment, amounting in all to about two thousand men, were now ordered to assemble at Georgetown, in that state, and placed under the command of brigadier-general Payne. Having been organized and equipped at this place, they marched, on the 19th of August, to join the army under general Hull, and arrived at Cincinnati, in the state of Ohio, on the 27th; the news of the surrender of Detroit being communicated to them on the road.

In this situation of affairs, the flattering prospects of the campaign being signally destroyed, and the efforts of the army now directed to the defence of their own territory, the invading force, too, being superior in numbers and discipline, to any that had been assembled, it became necessary to select some commander, who could unite, to a perfect knowledge of the seat of war, a competent acquaintance with the military science, and most especially the confidence and respect of the undisciplined force, thus hastily assembled. No one could, perhaps, have been found, in whom these qualifications were more happily united, than William Henry Harrison, then governor of the Indiana territory. Having entered the regular army of the United States early in life, he obtained an opportunity to distinguish himself in the victory obtained over the Indians by general Wayne, at the rapids of Miami, and to acquire a knowledge of military tactics, and of the western country, which availed him materially at a subsequent period. From the year 1801, to the period, the events of which we are now narrating, he had filled the office of governor of the Indiana territory with great credit. His vigorous and decided system towards the Indian tribes,

while it rendered his name formidable to that people, gained him the affections of those under his authority, by the security it afforded them from predatory incursions. The battle of Tippecanoe had obtained him a popular reputation throughout the western states: and his courage and enterprise contrasted well with the qualities displayed by the unfortunate commander at Detroit. At an early period of the war, he had been assigned to the command of the troops in the Illinois and Indiana territories, with directions to carry on the war in that quarter. Being in Kentucky, when the news of the surrender of Detroit arrived, he was immediately invested, by the governor of that state, although not a citizen of it, with the chief command of its detached militia, and the rank of major-general. The remainder of the Kentucky draft had now been called into service; one regiment, under colonel Barbour, being ordered to march to the aid of the Illinois country, and two others, commanded by colonels Wilcox and Miller, directed to assemble at Louisville and its vicinity, for the purpose of marching to Vincennes, to protect the Indiana territory. Three other regiments of infantry, under colonels Barbee, Jennings, and Poague, and one of cavalry, under colonel Simrall, were directed to proceed, by the way of Newport, to join the previous detachment, then marching to the north-western frontier. To this respectable force were soon to be added, a draft, from the Virginia militia, of fifteen hundred men, under general Leftwich, one of two thousand men, under general Crooks, from Pennsylvania, and two companies of volunteers, from Petersburg, in Virginia, and Pittsburg. Two companies of riflemen were subsequently united to this army: and a large force of mounted volunteers was raised for the defence of Indiana, which, together with the regiments already detached on that service, was placed under the command of general Hopkins. The state of Kentucky is said to have thus sent upwards of seven thousand men to the field: and such was the military ardour which pervaded the people, that the executive authority was obliged to restrain their eagerness to participate in the expected glory of the campaign,

While this army was organizing, and on its march to the frontier posts, Isaac Shelby had succeeded governor Scott in the executive office of Kentucky. This veteran patriot, who, in the decline of life, exhibited the same enterprise and valour which had gained him the highest reputation in the war of the revolution, lost no time in devoting to the common cause the assistance of his talents and experience. Impressed with the opinion that the distance of the seat of the national government from the scene of military operations, as well as the constitution of the government itself, prevented that energy in its actions, which the state of the country so much required, one of his first executive measures was to communicate to the secretary of war the situation of the frontier, and his ideas on the subject of future operations.* He recommended, with great earnestness, the appointment of a board of war, composed of respectable characters resident in the western country, whose powers should extend to calling out the militia, controlling the subordinate agents of the war department, making the necessary requisitions for the supply of the troops, and in general directing the operations against the enemy; while their responsibility to the government might, he thought, be effectually secured. The answer of the secretary of war† was brief and indecisive. He stated the president's doubts of the propriety of the measure, and his determination to vest the full command of the forces on the western and north-western frontier in general Harrison, with all necessary and practical powers to attain the objects of the war.

That officer, being thus clothed with extensive authority, and having received the commission of brigadier general in the regular army, proceeded to carry into effect the directions of the government. He arrived at Cincinnati on the 28th of August, and on the following day put the troops in motion. On the 1st of September, the army reached Dayton; and, on the 3d, arrived at Piqua, a small village on the west bank of the Great Miami. Here, having learned that the Indians had

* M'Affee's Hist. p. 112.

† Ibid, p. 117.

invested fort Wayne, he despatched colonel Allen with about five hundred men, directing him to make forced marches for its relief. A regiment of seven hundred mounted men, under colonel Adams, was on its way from Ohio, for a similar purpose. The whole army was put in motion for the same place, on the 6th; and, on the 8th, overtook colonel Allen's command, at St. Mary's river, where also it was joined, on the same day, by major R. M. Johnson, with a corps of mounted volunteers. General Harrison's force now amounted to about two thousand two hundred men.

Fort Wayne is situated on the little Miami river, at its junction with the St. Joseph's. Being in a favourable situation to communicate with Detroit and the Rapids, it was to be expected that the enemy would attempt it. It had accordingly been invested for several days by the Indians, who resorted to various artifices to obtain possession. The garrison, however, which consisted of but seventy men, maintained their post with great bravery. The besiegers, who had obtained information of the approach of the American force, decamped precipitately, on the evening preceding its arrival, having previously burnt the little village in the vicinity of the fort, and the factory which had been erected by the government to supply them with farming utensils.*

The army arrived at fort Wayne on the 12th; and, on the succeeding day, it was determined, in a council of officers, to divide it into two parts, for the purpose of laying waste the Indian settlements. The first division was composed of the regiments of Lewis and Allen, and a troop of horse, under captain Garrard, and was commanded by general Payne, who was accompanied by general Harrison. It left the camp on the 14th, with a view to destroy the Miami villages, at the forks of the Wabash. On the 15th, the expedition arrived at the place of destination, which they found abandoned by the Indians. They encamped in the town, and having destroyed its buildings, and cut up the corn, returned, on the 18th, to the fort, without having lost a man, or seen an enemy.

* M'Affee's Hist. p. 126.

The second division was commanded by colonel Wells, and consisted of part of his own regiment, with that of Scott, and some mounted men, and was directed to destroy the Potawatimie village on the Elkhart river; which service it completely effected, obtaining a considerable quantity of provision and forage. They rejoined the main body, a few hours after the arrival of the first expedition.

On the day succeeding the concentration of these divisions at fort Wayne, brigadier general James Winchester arrived, and took command of the army. He too had served in the war of the revolution; but, being personally a stranger to the troops, and an officer of the regular army, his arrival seems to have produced considerable uneasiness and discontent, which it required all the influence of general Harrison to assuage. The latter, being now superseded in his command, left the fort, for the purpose of organizing and bringing up the forces in the rear.

General Winchester now moved forward his army, with a view of occupying fort Defiance, at the mouth of the river Auglaize, and there awaiting the arrival of the reinforcements from Kentucky and Ohio. The country, through which he was obliged to pass, presented difficulties of no ordinary nature, by reason of the almost impenetrable thickets and marshes, with which it is covered. The progress of the army was therefore very slow, seldom exceeding five or six miles in twenty-four hours. From the apprehensions entertained of an attack by the Indians, it became necessary to fortify the camp every night; and the march of the army was always preceded by a reconnoitring party of spies. On the 25th, ensign Liggett, of the advanced party, obtained permission to proceed, with four volunteers, for the purpose of discovering the strength of the enemy at fort Defiance. Late on the same evening, they were attacked by a party of Indians, and, after defending themselves with great valour, were overpowered, and the whole party put to death. Subsequently to this affair, various skirmishes took place between the spies in advance and the savage forces, which had the effect of impeding the march of the army, and harassing the men. The Indians appear to have been the advanced party of an army

destined to attack fort Wayne, which consisted of two hundred regulars, with four pieces of artillery, and about one thousand savages, the whole under the command of major Muir. The intelligence, however, of the approach of the force under Winchester, the numbers of which were considerably exaggerated, and the report of an additional body being on the Auglaise, caused an abandonment of the project, and a retreat down the Miami. General Winchester, however, who was ignorant of the motions of his enemy, proceeded with great caution, fortifying his camp, as usual, at night, and sending reconnoitring parties in all directions. The army had now begun to suffer severely from a want of provisions, colonel Jennings, who had been despatched, by general Harrison, down the Auglaise with a supply, not being able to reach fort Defiance, from the presence of the enemy. An escort was therefore sent forward by general Winchester: and after great difficulty and labour, the supplies were conveyed to the army, on pack-horses. An express had, in the mean time, been despatched to general Harrison, acquainting him with the situation of the troops and the force of the enemy; and, on the 30th of September, the army took possession of fort Defiance, from which the enemy had previously retreated.

In the mean time, general Harrison had been forming the remainder of the Kentucky draft, and some riflemen and volunteers, from Ohio, into an army, with which he appears to have contemplated making a *coup-de-main* on Detroit, by taking an unfrequented route. These troops had been detained a long time at the places of rendezvous, by the want of some of the material munitions of war.* They had, however, assembled at the river St. Mary's, on the 20th of September. On the 24th of that month, general Harrison received, from the war department, information of his appointment to the

* M'Afee's Hist. p. 139. The dragoons were obliged to arm themselves with muskets, neither swords nor pistols having arrived. Many of the articles had not even left Philadelphia, from which place even the *tent-poles* were to be brought! We find many similar instances of negligence on the part of the government, or its agents.

command of the eighth military district, including the north-western army, the commission of brigadier in the regular army having been previously conferred upon him.

With this appointment extensive power was conferred, and equally extensive and arduous services were required. He was directed to provide for the security of the western frontier; to re-take Detroit; and to penetrate as far into Upper Canada as his force would justify.* From the number and scattered situation of the posts and settlements on the frontier, and the roving bands of savages ready to assail them, it is evident, that the task of protecting them, and, at the same time, prosecuting offensive operations, in other quarters, required great skill and activity. The force, throughout his district, of all descriptions, was estimated at ten thousand men†; of which, about two thousand were with general Winchester, and nearly three thousand at St. Mary's, under his personal command.‡

He immediately digested a plan of operations for the campaign, the idea of a *coup-de-main* on Detroit being now given up. The rapids of the Miami were the first object, and the forces were to be advanced upon it in three divisions, from a military *base* drawn from Upper Sandusky to St. Mary's. The right column was to be composed of the Pennsylvania and Virginia troops, who were to proceed by Upper Sandusky: the centre, of twelve hundred Ohio militia, was to take general Hull's route, by fort M'Arthur: and the left division, to be composed of the regulars and four regiments of Kentucky militia, were to proceed from St. Mary's and Defiance, down the Auglaise and Miami. St. Mary's was intended to be the principal depot for provisions, and Sandusky for the military munitions. While arranging his plans for the ensuing campaign, general Harrison received advices of the supposed critical situation of general Winchester, and immediately put his whole force in motion to join him. Being apprized, however, on the march, of the retreat of the enemy, he ordered part of his command back to St. Mary's, and arrived

* M'Affee's Hist. p. 140.

† Ibid.

‡ Idem, p. 144.

with the remainder, at the fort, on the 3d of October, having suffered considerably from the inclemency of the weather, and the want of tents and clothing. On the 4th, he returned to St. Mary's, leaving the command of the left wing to general Winchester. Previous to his departure, however, he ordered general Tupper, of the Ohio militia, to proceed, the next day, to the Rapids, with about one thousand mounted men, for the purpose of dispersing the enemy. This expedition altogether failed. The want of proper energy in the commanding officer, and of subordination in the men, were the principal causes of the disgraceful result. A misunderstanding between generals Winchester and Tupper appears to have prevailed at the outset: and the former having ordered colonel Allen to take the command, the whole force from Ohio broke off, and refused to march. With the remaining part of the detachment general Tupper deemed it imprudent to proceed, and returned with them to Urbanna, where they were discharged.

From this post, he was directed to take the command of the centre division, consisting of a brigade of Ohio militia, and a regiment of regulars, and proceed with it to fort M'Arthur. Here he thought proper to organize another expedition for the rapids of Miami, at which the enemy were still posted. On the 10th of November, he marched from the fort, with about six hundred men, provided with four days' provisions: and, on the 13th, arrived within a short distance of the rapids. The succeeding day, the army was attempted to be passed over the river, at a ford; but the current was found so powerful as to render it impracticable. The expedient was then resorted to, of moving down a small party, and subsequently a greater body, with the view of enticing the Indians to cross. This manœuvre, however, failed of effect; and the whole body was ordered to return to the encampment. A considerable number of Indians were now seen crossing the river, above: and some of the militia having strayed from the main party, contrary to orders, were fired upon, and four killed. A large body, headed by a celebrated chief, named Split-Log, now attacked the American force, in various quarters; but were repeatedly repulsed, with loss, until they finally retreated. The

provisions being exhausted, general Tupper returned to fort M'Arthur, on the 16th. The men under his command are said to have displayed great bravery and patience, in their severe march over a road which is represented as having been a continued swamp.

During the period in which these events had occurred in the neighbourhood of lake Erie, many others, growing out of the war, had taken place on the western frontier. Of these, the first in point of time, and not the least deserving of notice, as it displayed considerable skill and bravery on the part of the Americans, as well as the character of their savage enemy, was the attack of fort Harrison. This post, which was situated on the river Wabash, in the Indiana territory, was garrisoned by about fifty men, one-third of whom were sick, under captain Zachary Taylor, of the regular army. On the evening of the 3d of September, two young men were shot and scalped, in the vicinity of the fort; and, on the succeeding night, the attack was commenced, by the conflagration of a block-house, in which the provisions were contained; and at the same time a brisk fire was opened by a large body of the Indians, who had lain in ambush. The fire was returned with great spirit by the garrison; and, as the destruction of the block-house had caused an opening in his line of defence, captain Taylor, with great presence of mind, pulled down a cabin, and with its materials constructed a breast-work across the aperture. The situation of this small but gallant party became, however, very critical, as the attempts of the enemy to enter by the breach produced by the fire, were of a most desperate nature. Two of the garrison, preferring the risk of capture by the enemy to the prospect of massacre in the fort, endeavoured to make their escape. One of them was immediately killed; the other returned to the walls, and remained concealed until morning. The enemy, finding their attempts to gain possession ineffectual, retreated about day-light, but remained in the vicinity of the fort for several days.* Their

* After this defeat, they are said to have surprised a settlement on the White river, and massacred twenty-one of the inhabitants, including women and children. M'Affee's Hist. p. 155.

loss was supposed to have been considerable ; that of the garrison was only three killed and three wounded : but the destruction of the block-house was a serious disadvantage, as it contained the whole of the provisions. For his gallant conduct on this occasion, captain Taylor was shortly after brevetted a major.

Intelligence of the meditated attack upon fort Harrison having been communicated to governor Shelby, he immediately issued an address, calling for an additional number of mounted volunteers, for the defence of the Indiana and Illinois territories. Such was the eagerness of the people of Kentucky to take a part in these temporary incursions, that more than the number required were soon obtained. Upwards of two thousand* were assembled at Vincennes, on the 2d of October, where they were organized into four regiments, and placed under the direction of major-general Samuel Hopkins. On the 10th, this body arrived at fort Harrison ; and, on the 14th, the general *proposed*, (for there seems to have been hardly any thing like command or subordination through the whole expedition) the destruction of the Kickapoo and Peoria towns, as an object worthy of their efforts. The distance of these places from fort Harrison was not great, the difficulties very trifling, and the object to be attained one of great importance to the country. Notwithstanding these inducements, the discontent and insubordination of this disorderly assemblage was such, that, on the fourth day's march, the general having halted them in a prairie, one of the majors rode up, and peremptorily ordered him to resume the line of march, or his battalion would return.† The whole body seemed infected with a similar spirit ; and the general, finding the disorder increasing, called a council of the officers, who were directed to take the sense of the army on the propriety of returning. The report appeared almost unanimous in favour of this measure. Their disappointed leader then requested he might be permitted to dictate

* M'Affee's Hist. p. 158.

† The name of this person, whose valour would have been better displayed against the enemy, was not Sturgeon, but Singleton.

their course for one day only, in hopes of falling in with the enemy; and, putting himself at their head, directed them to follow. The multitude, however, being now quite unmanageable, turned their horses in a contrary direction, and made the best of their way back, the general following in their rear. The people, as might be supposed, evinced great disappointment and chagrin at the failure of this expedition. The blame was partly attributed to the general, who was represented to have been deficient, either from age or disease, in that vigour so necessary in a command like his. It is doubtful, however, whether any individual could have prevailed upon this self-willed body to pursue any other measures than those they deemed expedient. A court of inquiry was afterwards holden, which acquitted the general of all the charges of misconduct insinuated against him.

After the discharge of this detachment, general Hopkins determined to conduct an expedition of infantry against the Indians on the Wabash. Accordingly, on the 11th of November, he left fort Harrison, with three regiments of Kentucky militia, under colonels Barbour, Miller, and Wilcox, a small party of regulars, under captain Taylor, and about fifty mounted rangers; the whole amounting to about twelve hundred and fifty men. The provisions and military stores were embarked in boats, while the troops pursued their march along the east side of the river. On the 19th, they reached the Prophet's town, which, together with a Winebago village, four miles lower, were completely destroyed, the inhabitants having previously evacuated them. A skirmish took place, on the 21st, between a small party, under colonel Miller, and an ambuscade of Indians, in which the former lost eighteen men, in killed, wounded, and missing. The general now endeavoured to draw the enemy to a general engagement; but the inclemency of the weather, and the constant retreat of the savages, prevented it. Finding that any further attempt to pursue them would be attended with the most serious inconvenience to his troops, from their deficiency in comfortable apparel, while the rivers were now filled with ice, it was deemed expedient to return; and the march was accordingly taken up for Vincennes, at which

they soon after arrived. The conduct of the troops, on this expedition, was such as to reflect the greatest credit on themselves, and to exhibit in a strong light their superiority over the preceding detachment.

The success that might have attended the first expedition, if conducted with a proper spirit, was shown by the result of an incursion made by colonel Russell, of the regular army, into the Indian country, with about three hundred men. It was intended that this body, with that under Hopkins, should unite at the Peoria, on the Illinois river. Disappointed in this, as his numbers were too weak, colonel Russell surprised and destroyed a town called the Pimertam's, and drove the Indians into a swamp, where he killed upwards of twenty, and brought off not less than eighty horses. The town was a flourishing one, containing a great deal of plunder and provisions, all of which were committed to the flames. The whole tour was performed in thirteen days; and both officers and men acquitted themselves with the greatest energy and discipline. Several other expeditions were undertaken, about the same period, with the same objects of destroying the Indian settlements, and driving them to a greater distance from the frontier. The heart bleeds at the narration of so much individual misery, and of the suffering to which the innocent and helpless were exposed: but such was the character of the enemy, that nothing but the most severe retaliation could prevent the repetition of the enormities he had committed.

One of the most considerable of these incursions was that undertaken by colonel Campbell, of the 19th United States' infantry, with about six hundred men, against the towns of the Mississenewa. On the 17th of November, a charge was made upon one of the towns; thirty-seven prisoners, including women and children, were taken, and seven warriors killed. The ensuing morning, his camp was attacked by a party of Indians, supposed to exceed two hundred, who were received very gallantly, and at length repulsed, with the loss of about forty men; that of the Americans being about equal. Captain Pearce, of the Zanesville troop, and lieutenant Waltz, of the Pennsylvania volunteers, were among the killed. The valour of this

enterprising band was equalled by its humanity : and it deserves to be recorded, as a proof of its subordination and forbearance, that the most punctual obedience was paid to the orders of the general, not only in saving the lives of the women and children, but in sparing those of the warriors who ceased to resist.

CHAPTER XLIV.

Affairs on the Ontario Frontier—Armistice proposed, and rejected—Northern Army—Attack on Queenstown—Operations of General Smyth—The Army goes into barracks—Events on the Lakes.

WHILE these events were taking place on the western frontier, others of not less importance had occurred in the vicinity of lake Ontario and the St. Lawrence. The section of country through which the war, the details of which we have just narrated, was carried, bore indeed little resemblance to the one which had been the theatre of the hostilities we are about to describe. Covered with forests and marshes, and not yet completely freed from its aboriginal possessors, while the settlements of its civilized inhabitants were scattered thinly over its surface, the physical situation of the first seemed to admit only of that desultory species of warfare which we have seen was pursued with so much spirit by the neighbouring militia. The country, however, which bordered on lake Ontario, bore a different aspect. The settlements of the American citizens extended to its shores; and the fertility of the surrounding country, as well as the excellence and security of the communication with the Atlantic frontier, afforded every convenience for the operations of regular hostility. The ample bosom of the lakes presented a fair field for the manœuvres of naval warfare, and an easy conveyance to an invading army. The militia, too, of the states of New York and Pennsylvania, two of the most populous and powerful of the confederacy, had testified a desire to co-operate with the regular force, both in the defence of their territory, and in the prosecution of offensive measures. The northern and eastern frontiers were therefore considered with reason those from which the provinces of the enemy could be most efficiently invaded.

Preparations were accordingly made by the government, soon after the declaration of war, for the concentration, in some convenient point, of the forces destined for that object. The chief command of the troops, and of the military department, was given to major-general Dearborn, subordinate to whom, a force was stationed at Plattsburg, under brigadier-general Bloomfield, and another at Buffalo, under brigadier-general Smyth. The militia of the state of New York, then in the service of the United States, were commanded by major-general Van Rensselaer, of that state, and amounted to about three thousand five hundred men, most of whom were stationed on the Niagara frontier. Bodies of regulars and militia were also stationed at Sackett's-Harbour, at Black Rock, and at Ogdensburg: and the state of military preparations throughout, evinced the intention of the government to prosecute the war with vigour.

In this situation of affairs, a proposal was made, on the 4th of August, by the governor-general of Canada, Sir George Prevost, to major-general Dearborn, for a suspension of hostilities, grounded on the repeal of the orders in council. This measure, which took place on the 23d of June, would, it was supposed by the British government, by removing one of the principal causes of the war, induce the republican authorities to abstain from a further prosecution of it. An arrangement was accordingly entered into, between those officers, for an armistice, on that frontier alone, to continue until the pleasure of the president was known. The latter, immediately on this convention being made known to him, refused to sanction it, on the ground of its being too indefinite, and that no provision was made for the removal of the other subjects of complaint against Great Britain. The orders in council were, indeed, only one of a long series of injuries received by the republic; and it was conceived to be manifestly impolitic to sheathe the sword on the removal of one, when so many remained unredressed. A fatal consequence of the suspension of hostilities was, that, being confined to the Niagara frontier, it enabled the British commander to detach a considerable part of his force to the neighbourhood of Detroit, where, as we have seen, it produced the most disas-

trous consequences to the American cause. The decision of the president was immediately communicated to the British authorities, and preparations made for a renewal of hostilities.

No event, however, of considerable military importance occurred for some time. The regular officers, and those of the militia, were employed in organizing and disciplining their troops, of which both species of force stood very much in need. Several skirmishes had, indeed, taken place, between small parties, in which great enterprise and bravery were displayed. On the 21st of September, captain Forsyth, of the rifle regiment, a very valuable partisan officer, after defeating a superior force of the enemy, captured a small village in Canada, and brought off a considerable quantity of military stores, with some prisoners. By way of retaliation for this exploit, an attack was, soon after, made on the town of Ogdensburg, by about four hundred British troops, after a heavy bombardment from the opposite shore. They were met, with great gallantry, by the Americans, under brigadier-general Brown, of the New York militia; and, after an obstinate contest, were obliged to relinquish their attempt, with the loss of many men.

The season for military operations was now far advanced, and the militia and volunteers displaying great eagerness to be led against the enemy, many of them, indeed, having threatened to return to their homes if their wishes were not complied with, general Van Rensselaer, who commanded, in chief, the army of the centre, determined to make an attack upon the British position at Queenstown. This town, the possession of which was of the greatest importance to any ulterior operations in Canada, is situated on the river Niagara, eight miles below the celebrated falls, and directly opposite to Lewistown, the head-quarters of the American army. Information had been received, by general Van Rensselaer, through what was thought a credible channel, that the British general, Brock, who had left Detroit, after the surrender of the north-western army, had returned to that place, with part of his force, from the vicinity of Queenstown. This opportunity

was, therefore, taken to obtain possession of a village which would secure comfortable shelter to the troops, from the inclemency of the weather.

The morning of the 11th of October, was fixed upon for the meditated attack. Such, however, was the strength and difficulty of the current, and the tempestuous violence of the weather, that the detachment, intended for the purpose, was obliged to return to the camp, to await a more favourable opportunity. The impatience of the troops had, however, arisen to such a height, that the commanding general, it appears, was compelled, by the apprehension of personal obloquy, to submit his own opinion to it :* and accordingly matters were arranged for a second attempt, at day-light of the 13th. Orders were despatched to general Smyth, to advance with his corps from Black Rock, with a view to support the detachment intended to be sent over. The force, destined for the attack, was divided into two parts : one, of three hundred regulars, was to be led by lieutenant-colonel Christie, and the other, of the same number of militia, was under colonel Van Rensselaer, who commanded the whole. These were to be followed by the flying artillery, under colonel Fenwick, the regulars, under major Mullany, and the other forces.

By some of those means of obtaining intelligence, with which the British commanders appear to have been possessed throughout the war, the enemy was apprized, at an early period, of the contemplated attack, and had sent reinforcements from Fort George, at which place general Brock remained in readiness to move with a larger force. They were, therefore, found in a state of preparation, when, at dawn of day, the embarkation was commenced. A brisk fire was commenced from the British musketry, which was returned by the American batteries ; colonel Scott, who arrived after midnight from Black Rock, with a detachment of artillery, co-operating efficiently with his pieces. The eddies, however, in the river were uncommonly violent, the enemy's fire very effective, and the boats were, in many instances, carried below

* Official letter.

the point of landing. Colonel Van Rensselaer, notwithstanding, with about one hundred men, succeeded in gaining the shore, where, in a few minutes, he received several severe wounds. He continued, nevertheless, to encourage the troops, with the greatest intrepidity, and ordered them to storm the fort, which they effected, in the most gallant manner, under captains Ogilvie and Wool. This small body drove the enemy before them, and, assisted by the batteries on the American side, completely silenced those of the enemy. By this time, colonel Christie, who had been carried below the point of destination, by the bad management of the boatmen, had arrived, together with considerable reinforcements of regulars and militia. The enemy were also powerfully reinforced, by the arrival of general Brock, with about six hundred men, of the 49th regiment. Perceiving that this force was moving in the rear of the battery, captain Wool ordered a detachment of one hundred and sixty men to meet them, who were driven back; but, being again reinforced, again advanced with similar success. Colonel Christie now joined them with an additional body, which increased the detachment to about three hundred and twenty men; and, leading them on with the bayonet, he succeeded in routing the gallant enemy opposed to him. Their distinguished leader, general Brock, fell, mortally wounded, in the attempt to rally them. In this situation, the victory was considered as gained by the American general, who crossed over for the purpose of fortifying his camp. The enemy, however, being reinforced by several hundred Indians, again advanced to the attack, and were once more repulsed. General Van Rensselaer, now finding his own reinforcements embarking but slowly, recrossed for the purpose of accelerating their movements. To his utter surprise and mortification, however, he found that this part of the militia, who had heretofore evinced so much eagerness to meet the enemy, now faltered, at the moment their services were required. Covering their pusillanimity, or want of patriotism, with the parade of legal knowledge, they refused to pass the American boundary, on the plea of constitutional privilege. Such a plea, at such a moment, when their countrymen were on the eve of

being overpowered for want of assistance, and the character and cause of their common country were at stake, ought to consign to indelible contempt those who made use of it.

Disappointed in this most essential endeavour, and seeing that reinforcements were again advancing to the aid of the enemy, general Van Rensselaer could only send an additional supply of ammunition to the troops on the opposite side; he laboured in vain to collect a number of boats, for the purpose of bringing them off; but such had been the fear of the boatmen, that few could be found.

A desperate contest now commenced, the enemy being reinforced by the arrival of a strong party from fort George, and assisted by artillery and Indians. The Americans, although dispirited by the dastardly conduct of their countrymen on the opposite shore, maintained their post with great bravery, until, overcome by numbers, they were compelled to retreat to the water's edge. Here, finding no means of conveyance, and the enemy pushing hard upon their rear, they were compelled to surrender.

Thus ended the battle of Queenstown, in which the Americans engaged, with the exception, perhaps, of a few of the militia, behaved with the utmost coolness and bravery. The refusal of the rear division to cross the river, alone prevented them from reaping the fruits of their exertions; while it rendered doubly brilliant the conduct of those who did their duty to their country and themselves. The greater part of the officers, in particular, were distinguished for their gallantry and good behaviour. Among them, colonels Scott, Fenwick, and Van Rensselaer, and captains Gibson, Wool, and M'Chesney, were highly noticed.

The conduct of the British troops is said also to have been highly creditable to them. During the battle, they evinced great bravery, which, however, reflects less honour upon them than the humanity which they subsequently displayed to their prisoners. Nothing of this virtue, however, was seen in their Indian allies, whose treatment of the Americans was barbarous in the extreme.

The combined forces of the enemy are supposed to have been considerably superior in numbers to the American troops, especially at the conclusion of the conflict. The loss of the latter, in killed, wounded, and prisoners, was estimated at about one thousand men :* that of the enemy is not exactly known. The death of their commander was a severe misfortune, as he possessed great military talents and considerable experience, as well as the affections of his troops. The Americans marked their respect for his character, by firing minute guns from fort Niagara, during his funeral procession.

While general Van Rensselaer was thus endeavouring to establish himself in the enemy's territory, a general cannonading had been kept up from the forts on the opposite sides of the Niagara. In these affairs, several instances of individual bravery occurred, although no great impression was made on either quarter. Several private dwellings were destroyed ; but little was effected of public importance, except inuring the troops engaged to the fire of an enemy.

General Van Rensselaer having resigned the command, shortly after the affair of Queenstown, it devolved upon brigadier general Smyth, of the regular army, whose head quarters were established at Buffaloe, at the east end of lake Erie. This officer, who had censured the plans of his predecessor as being rash and badly digested, immediately prepared for another expedition to the opposite side. In an address which was issued on the 12th of November, he called upon "the men of New York," by every motive which can actuate freemen, to lend their aid to the enterprise. He proposed to them to volunteer for a short tour of duty, promising them, that, in a few days, he would plant the American standard in Canada. The language of the proclamation, however, was unfortunately neither creditable to the literary talents nor to the modesty of its author ; but, seconded by an address from general Porter, of the New York militia, it produced considerable effect upon the minds of the citizens in that quarter.

* It is stated, that three hundred and eighty-six regulars, and three hundred and seventy-eight militia, surrendered themselves.

By this, and other means, a force of about four thousand five hundred men was assembled at Buffaloe, on the 27th of November, consisting of regular troops, New York, Pennsylvania, and Baltimore volunteers.* The orders under which general Smyth acted, appear to have authorized or directed him to cross, when he had a force of three thousand men. Preparatory to the descent, which he now determined to make, a number of boats and scows were prepared, and, on the night of the 27th, two parties were sent over. The first, under colonel Boerstler, were to destroy a bridge near fort Erie, in which they entirely failed. The second party, commanded by captain King, and lieutenant Angus, of the navy, was more successful. They were directed to storm the British batteries, which they effected with great bravery, and spiked the cannon. The greater part returned, with a number of prisoners; but captain King, with the remainder, was captured by the enemy. Colonel Winder made an attempt to support this detachment, with about three hundred men; but was compelled to retreat, with the loss of six killed and twenty wounded. It was intended that the great enterprise should have been undertaken at reveillé, on the succeeding day; and the embarkation accordingly commenced soon after that period, but went on so tardily, that it was afternoon when the whole was completed. The enemy now showed themselves in force, on the opposite shore, having, it was supposed, about five hundred men, with a piece of artillery.

General Smyth now called a council of officers, to determine on the expediency of proceeding. A large majority expressed their opinions against the measure; and the troops were accordingly ordered to debark.† This measure excited great discontent among them; but the assurance that another attempt would be made, in some degree allayed it.

The first day of December was then determined on for the renewal of the enterprise. It was intended to leave the American shore two hours before daylight, to land above Chippewa, and make an attack upon Queenstown and fort George.‡ Day-

* General Porter's letter—Niles's Weekly Register, Vol. III. p. 284.

† General Smyth's official letter.

‡ Ibid.

light, however, arrived before the embarkation was completely effected ; and the number of men with whom the descent was to be made, it was found, did not exceed fifteen hundred, exclusive of officers. A council was therefore called by the commanding officer, consisting of the field officers of the regular army, who unanimously decided that they ought not to proceed.* The troops were therefore once more debarked. They were informed that the invasion of Canada was abandoned for the season ; and were ordered into winter quarters.

Such were the results of these long-meditated attempts to obtain a footing in Canada. The disappointment and indignation of the militia and volunteers, who had been thus called from their homes, at an inclement season, to be made, as they thought, the victims of caprice, were excessive, and evinced themselves in some irregular and violent proceedings. The commander was openly accused of cowardice by general Porter ; and his personal safety endangered, by the exasperated soldiery. He contended, however, in his vindication, that the number of troops in his power was insufficient to cope with the enemy. The regulars amounted only to eight hundred and sixty, and the whole force to little more than fifteen hundred ; while upwards of twenty-three hundred rations were issued on the British side.† He added, that the regulars were decreasing in numbers, from sickness and exposure at that season, and the term of service of the volunteers would soon expire ; while many of the militia had displayed a spirit of insubordination, or a disposition to desert.‡

The public opinion, however, as generally expressed at the time, was against the propriety of this officer's conduct. His boastful and inflated addresses tended, probably, in a great measure, by the contrast they afforded with his actions, to produce this sentiment ; and the severe language in which he had spoken of his predecessors was retorted upon him by those who were as little inclined to judge charitably of his own military feats.

* General Smyth's official letter.

† Letter to the citizens of New York.

‡ Idem. He states that six hundred of the Pennsylvania brigade deserted in twenty-four hours.

The troops whose attempts we have just narrated were denominated "the army of the centre," to distinguish them from the western force, and the "northern army." No operation of any importance was undertaken by the last during this season. A large body of regulars had been collected during the summer and autumn, which were concentrated at Plattsburg, at the close of October. General Dearborn, who commanded, had his head quarters at Greenbush; while generals Bloomfield and Chandler were at the head of brigades. At length, on the 16th of November, the army broke up from Plattsburg, and moved toward the Canada frontier. On the 18th, it encamped at Champlain, within a short distance of the lines; and, on the succeeding day, general Dearborn took the command. On the same day, colonel Pike, an officer of great merit, advanced with his regiment several miles into the enemy's country; surprised a body of British and Indians; destroyed a considerable quantity of public stores, and returned without much loss. It was now expected that the whole army would advance into Canada; but, probably from the lateness of the season, and the failure of the attempts on the borders of lakes Erie and Ontario, the enterprise was abandoned; and, on the 23d, the troops returned to Plattsburg, at which place and its vicinity they went into winter quarters.

The first campaign of the war had now closed, upon all parts of the Canada frontier. Although no event, strikingly beneficial to the nation, had occurred, and, in one melancholy instance, serious inconvenience had been experienced, yet many useful lessons were taught, and much practical information gained. The individual bravery of the various species of forces engaged, was exhibited on many occasions; and talents were there first displayed, which afterwards gained for their possessors promotion and renown.

Before we leave this section of the country, it is proper to take notice of some events, which occurred on lakes Erie and Ontario. The command of these great inland seas, so important as it was afterwards found, does not appear to have been an object with the administration, as early as it should have been. The necessity of having a superior force on lake

Erie, was pointed out to the war department, three months before the declaration of war, by general Hull, then governor of Michigan.* This suggestion, however, was so little regarded, that, when hostilities took place, the United States had but one vessel on the lake, which was at the time repairing, and was not launched until the following month.† This vessel was captured, a very short time afterwards, being surrendered, by general Hull, with the garrison of Detroit. From this period, the United States had no national vessel on the lake, until the 9th of October, when a very gallant achievement put them in possession of one. Lieutenant Elliot, of the navy, being at Black Rock, and seeing two British vessels lying under the guns of fort Erie, determined to cut them out. Accordingly, he embarked, at midnight, with about fifty volunteers, and, in a very few minutes, carried both, by boarding. The current was, however, so strong, that they were run aground; and one of them, an armed vessel, called the *Detroit*, was afterwards burnt. The other was a merchant brig, and was laden with furs of great value. She was secured under the batteries of Black Rock.

On lake Ontario, the preparations of the government for naval warfare had not been greater than on lake Erie. The brig *Oneida*, of sixteen guns, was the only armed vessel in commission, on that lake, for some months after the declaration of war. In the month of October, however, commodore Chauncey arrived at Sackett's Harbour, with a number of seamen, and exerted himself so efficiently, that, on the 7th of November, he sailed from that port, with six schooners, which he had purchased and armed, in addition to the *Oneida*, the whole carrying forty guns, with four hundred and thirty men. The force of the enemy appears to have been more than double. On the 8th, the squadron fell in with the *Royal George*, of twenty-six guns, which they chased into the port of Kingston; and, after a heavy cannonade, compelled her to take refuge in the inner harbour. The batteries of the enemy, at Kingston, kept up a heavy fire, with very little injury, however, to the American vessels.

* M'Affee's Hist. p. 94.

† Ibid, p. 95.

Disappointed in the hope of inducing the Royal George to leave the protection of the batteries, commodore Chauncey returned to Sackett's Harbour, on the 12th, having obtained the complete command of the lake for the time. He then employed himself in superintending the building of the ship Madison, which was launched on the 26th of November, having been completed in the short space of forty-five days.

CHAPTER XLV.

Naval events—Cruise of commodore Rodgers—of captain Porter—Escape of the Constitution—Capture of the Guerriere—of the Frolic—of the Macedonian—of the Java.

FOR a long time previous to the declaration of war, the principal harbours of the United States had been virtually blockaded by British armed vessels, the commanders of which appeared to seek every opportunity of evincing their contempt for the nation, whose peace and dignity they were thus habitually assailing. To such an extent had this system of outrage proceeded, that, in one instance, a small coasting vessel, passing into the port of New York, was fired upon, and her captain killed, in the midst of apparent peace, and while within the limits of the United States. The vexatious and degrading practice of impressment they were by this means enabled to pursue with signal effect; and it was even attempted, as we have seen, on board of a national armed vessel. The impression this course of conduct was calculated to produce on the minds of the citizens, and more especially of that part of them who were, by their profession, especially liable to it, was of the most deep and lasting nature. When the intelligence, therefore, of a war with that country was promulgated, it was received, in the navy of the United States, with the utmost approbation. Both officers and seamen burned with impatience to avenge the sufferings of their fellow mariners, and to redeem the honour of their profession, which, in consequence of some recent events, had been grossly aspersed. To the sense of duty to their country, and the hope of profit from rich captures, (a motive which more or less actuates seamen of all countries) were added a feeling of personal animosity, and an earnest conviction of the justice of their cause, which led them to seek the enemy with the utmost ardour.

At the commencement of hostilities, a squadron, consisting of the *President*, of forty-four guns, commodore Rodgers, the *United States*, of forty-four, commodore Decatur, the *Congress*, of thirty-six, captain Smith, the *Hornet*, of eighteen, and the *Argus*, of sixteen guns, had assembled off the harbour of New York. On the 21st of June, within one hour after receiving the official intelligence of the war, the squadron set sail in pursuit of a British convoy, which had left Jamaica on the 20th of the preceding month. The further progress, however, of these vessels was diverted, on the morning of the 24th, by the sight of a ship, which proved to be the British frigate *Belvidera*. The signal was made for a general chase, which was continued, without intermission, from six in the morning until half past four in the afternoon, when a fire was commenced from the bow guns of the *President*, which vessel outsailed the rest of the squadron. The fire was returned by the enemy; but, unfortunately, a few minutes afterwards, one of the *President's* bow guns burst, by which sixteen persons were killed or wounded, the commodore being one of the latter, and the main and forecastle decks so much shattered, as to prevent the employment of the guns on that side. Finding that the enemy had a great advantage in the use of his stern guns, the commodore ordered the broadside to be brought to bear upon him, in the hope of disabling his spars and rigging. Perceiving this to be ineffectual, the ship was again brought in the enemy's wake; but notwithstanding all the endeavours that prudence and experience could suggest, the *Belvidera* was perceived to outsail her; and, at midnight, the chase was abandoned, and the squadron again pursued its course in search of the convoy. Until the 13th of July, the pursuit was continued; when, being near the British channel, they steered for the island of Madeira, then by the Azores to the coast of Newfoundland, and thence to Boston, where they arrived on the 31st of August. Several merchant vessels of the enemy were captured, during the cruise; but, owing to the intensity of the fog which prevailed in part of it, the success was not so great as was anticipated.

The frigate *Essex*, of thirty-two guns, commanded by captain David Porter, sailed from Sandy Hook, on the 3d of July, on a cruise to the south. Nothing of material importance occurred (except the capture of a transport with two hundred soldiers) until the 13th of August, when the *Alert*, a British sloop of war, ran down on the *Essex*'s quarter, gave three cheers, and commenced an action, which ended in eight minutes by her capture, with seven feet water in her hold, and the loss of three men. Nothing can evince, in a stronger light, the ideas entertained by the officers of the British navy of their own superiority, than the manner in which this skirmish was commenced by the commander of the *Alert*. The illusion was very speedily dissipated, in that particular instance, and, as we shall have reason to observe, was not less signally destroyed, on subsequent occasions.

On the afternoon of the 30th of August, an enemy's frigate was seen, towards which the *Essex* bent her course. On the approach of darkness, lights were hoisted up in both vessels, and the *Essex* lay to until morning, when it was found that the enemy had disappeared. The American frigate had now been carried, by the force of strong gales, to the northern coast of the United States; and, on the 4th of September, discovered two ships of war and a brig, to the latter of which captain Porter gave chase. Being pursued, however, by the enemy's ships, he escaped in the night, and arrived in the bay of Delaware, on the 7th, without any loss.

On the 26th of July, the frigate *Constitution*, of forty-four guns, captain Isaac Hull, arrived at Boston from a short cruise, during which her commander and officers had an opportunity of displaying the greatest skill and seamanship. Having sailed from Annapolis, on the 12th of July, on a cruise to the northward, she discovered, on the 17th, and was chased by, an enemy's squadron, which, as it afterwards appeared, consisted of a line-of-battle-ship, four frigates, a brig, and a schooner. At sunrise, on the next morning, the enemy was found to have gained upon her, and every preparation was made for a desperate resistance. During the whole of this

period the wind had been so light, that the boats, both of the Constitution and the enemy's vessels, were employed in towing them. The expedient of carrying out anchors and warping the Constitution up to them, was then tried with some effect; but was immediately imitated by the enemy, who was now within gun-shot. The chase continued in this manner, until the morning of the 20th, every expedient that naval science and skill could devise being resorted to, when the enemy, finding that the Constitution, having obtained a favouring breeze, was leaving them far astern, gave up the pursuit, and the American vessel, as we have stated, arrived without injury at Boston.

On the 2d of August, the Constitution again sailed from that port on a cruise, which will be long memorable in the republic, as having led to the first of a series of exploits, which elevated the character of the nation, and laid the foundation of its future naval greatness. On the 19th of August, at three in the afternoon, a vessel was descried, standing under easy sail, and was soon made out to be a frigate. The American vessel was cleared for action; and the enemy lay to, waiting for her approach, with a coolness which evinced their ignorance of the foe they had to contend with. As soon as his ship was prepared for action, captain Hull bore down upon his antagonist, his crew giving three cheers, and requesting to be laid alongside of the enemy. It was his intention to bring his opponent to close action; but, on coming within gun-shot, she gave the Constitution a broadside, and wore away. Both vessels continued manœuvring for some time, until the enemy, disappointed in an attempt to get a raking position, bore up, and ran down under her top-sail and jib, with the wind on the quarter. Captain Hull now, with the greatest coolness, receiving several broadsides from the enemy without returning them, secured an advantageous position on the enemy's beam, and commenced, at five minutes before six, a heavy and well-directed fire. Broadside after broadside was fired with such quick and fatal execution, that in fifteen minutes the enemy's mizen-mast went by the board, and the rigging and

sails were cut to pieces. In this ungovernable state, she lay exposed to the raking fire of the Constitution, for fifteen minutes longer, during which, lieutenant Bush, of the marines, in attempting to board her, was killed by a musket ball. Her main and foremasts now being gone, and not a spar standing except the bowsprit, she surrendered. The prize proved to be the British frigate *Guerriere*, of forty-nine guns, and three hundred men, commanded by captain James Dacres. So completely had she been torn to pieces by the fire of the Constitution, that it was found impossible to carry her into Boston. She was therefore set on fire, the succeeding day, and soon blew up. The Constitution received so little injury, that, in a very short time, she was ready for another action. Her loss was seven killed and seven wounded; that of the *Guerriere* fifteen killed and sixty-three wounded.

Thus, in the short space of thirty minutes from the time the firing commenced, was a British frigate compelled to surrender, in a sinking state, to one of little superior force, with a crew three-fourths of whom had never been in an engagement. Many circumstances combined to render this victory peculiarly honourable to the national character, and gratifying to the victors. The mere capture of a vessel of nearly equal force was a subject of triumph to a nation whose genius for warfare had been decried, and whose officers were supposed to be destitute of the requisite experience in naval warfare. And moreover, such was the fame the British navy had acquired from its former exploits, that a victory over one of its vessels was doubly brilliant. For thirty years previous to the capture of the *Guerriere*, no instance had occurred of the surrender of a British vessel to one of equal or inferior force. The charm of invincibility seemed to be conferred upon it: and this circumstance, while it gave confidence to its sailors, had a tendency to dispirit and dishearten those of other nations. But of all the vessels in the British navy, the *Guerriere* was probably the one which the American officers were most anxious to encounter. Her high reputation, the challenge her commander had sent to the captains of the American frigates, the

inscription painted on her sails,* all made her capture an object of the greatest interest. That it could have been effected in so short a space of time, and with so little injury to her opponent, was little to be expected. The intrepidity, indeed, of the victors was hardly more striking than the skill which they displayed in the manœuvres, and the precision exhibited in the firing, as appeared by the disproportion between the American and British loss, as well as by the state to which the *Guerriere* was reduced, when compelled to surrender.

The satisfaction which this important event gave to those who were concerned in it, was, however, trifling, in comparison with that displayed in all quarters of the Union, on the receipt of the intelligence. Coming, as it did, almost simultaneously with the news of the surrender of the north-western army, and being almost equally unlooked-for, it excited greater emotions, by the contrast it presented to that event. Captain Hull, who arrived with the *Constitution* at Boston, on the 28th of August, was received with the most distinguished respect. The highest honours a republic can confer were shown to him and the companions of his victory. Many of the state legislatures voted them their thanks; congress appropriated the sum of fifty thousand dollars, as a compensation to the officers and crew for the loss of the vessel; and several of those who had particularly distinguished themselves, were promoted to higher grades in the navy. Nor was this general joy embittered by the collisions of party violence. Those who differed in almost every other measure, united in applauding this exploit: and it seemed as if the demon of faction, like the witches of the Scottish poet,† vanished at the water's edge.

On the 8th of October, the squadron under the command of commodore Rodgers, consisting of the *President*, United States, and Congress frigates, and the *Argus* sloop of war, sailed from Boston on a cruise. On the 13th, in a gale of wind,

* "*This is not the Little Belt*,"—in allusion to the rencontre of that vessel with the frigate *President*.

† Burns.

they parted from the United States and Argus. On the 15th, the President and Congress captured a British packet, with specie, amounting to nearly two hundred thousand dollars. On the 30th of December, the two frigates arrived at Boston, without having had the good fortune to bring an armed vessel of the enemy to action. The Argus arrived, soon afterwards, at New York, from a very successful cruise, of ninety-six days, during which she made captures of British merchantmen, to the value of two hundred thousand dollars, and displayed the swiftness of her sailing, as well as the skill of her officers, by an escape from a squadron of the enemy, consisting of six sail, by which she was chased for three days.

But the cruise of the United States was by far the most fortunate, as it gave her distinguished commander an opportunity of adding another leaf to the laurels he had already acquired, and of shedding additional glory on the republic. On the 25th of October, being off the Western Islands, she fell in with the British frigate Macedonian, of forty-nine guns, and three hundred men, a vessel newly built, and of superior equipment. Being to windward, the latter had the advantage of choosing her distance, which, as the United States was in great part armed with carronades, prevented her from availing herself of them. In consequence of this, the action occupied an hour and a half. As soon, however, as the United States was able to bring her enemy to close action, the superiority of the Americans in gunnery was manifestly displayed. The enemy's mizen-mast and most of his spars and rigging being shot away, he deemed it expedient to surrender, with the loss of thirty-six killed and sixty-eight wounded. That of the Americans was only four killed and seven wounded: among the former was lieutenant John Musser Funk. This great disproportion in the loss of lives, which was remarkably displayed in all the naval actions during the war, while it afforded a striking proof of the precision of the Americans in the art of firing, rendered their victories doubly grateful, by depriving them, in a great measure, of the alloy of individual grief, with which such events are too often intermixed.

The damage sustained by the United States, was not so great as to render necessary her return to port. It was deemed proper, however, to accompany the prize in; and both frigates arrived in safety at New York, on the 4th of December, where captain Decatur was received with a similar degree of rejoicing and gratitude to that the republic had heretofore so liberally bestowed upon Captain Hull.

The victories, however, of the Constitution and United States, brilliant as they were, were obtained over antagonists somewhat inferior in the number of their guns, as well as of their men. We have now to record one, in which the enemy was undoubtedly superior in the number of his cannon, and not inferior in the amount of his seamen. The United States' sloop of war, Wasp, captain Jacob Jones, sailed from the Delaware, on the 13th of October. On the 16th, she experienced a heavy gale, in which two men were lost, together with her jib-boom. At midnight of the succeeding day, several sail were descried, to which chase was given. On the 18th, at day-light, they were discovered to be a convoy of six merchantmen, under the protection of a sloop of war, four of them being armed vessels. At half past eleven, in the morning, the action commenced between the two national vessels, at the distance of about fifty yards. So near, indeed, did they arrive, that the rammers of the Wasp's cannon were, in one instance, struck against the side of her enemy. The fire of the English vessel soon slackened; and, after a most sanguinary action, of forty-three minutes, it was determined to board her. This was immediately effected, lieutenant Biddle, of the Wasp, particularly distinguishing himself among the boarders. When they reached the deck of the enemy, they found no person upon it, except three officers and the seaman at the wheel. The colours were hauled down by lieutenant Biddle, there being no one of the enemy's seamen left to perform that office.

The vessel, thus gallantly captured, proved to be his Britannic majesty's brig of war, the Frolic, of twenty-two guns, commanded by captain Whinyates. The Wasp mounting but eighteen guns, the enemy was thus superior, by four cannon.

The annals of naval warfare have, perhaps, seldom contained the narration of a more sanguinary conflict than this. The decks of the *Frolic* were crowded with the dead and wounded, many of whom were crushed by the falling of her spars. Not less than thirty are said to have been killed, and about fifty wounded: both of her masts were shot away; and she lay on the water, an unmanageable wreck. The *Wasp* also suffered severely in her spars and rigging, from the enemy's fire: her loss of men, however, was trivial, compared with that of her opponent, four only being killed, and four wounded. The brave officers and crew of the *Wasp* were unfortunately deprived, shortly afterwards, of their hard-earned prize. No sooner had the engagement ceased, than a sail was seen, which soon approached near enough for them to discover that she was an enemy's seventy-four gun ship. From the disabled state of both vessels, an escape was impracticable: they were therefore obliged to surrender to the British ship *Poictiers*, by which they were carried into Bermuda.

The honours conferred upon captain Jones, his officers and crew, on their return to the United States, were not less flattering than those received on the former occasions. Many of the state legislatures voted them their thanks, and the substantial recompense, of twenty-five thousand dollars, was appropriated by congress, as a compensation for the loss of the vessel they had so gallantly acquired. Captain Jones was soon afterwards appointed to the command of the *Macedonian* frigate, which had been purchased by the government from the captors, and added to the navy of the United States.

Nor was this the last of those gallant achievements, which raised so high the character of the American navy. The frigate *Constitution* was destined to receive a brilliant addition to the fame she had acquired in her combat with the *Guerriere*, and to render the name of the republic celebrated in remote seas. After his capture of the British frigate, captain Hull resigned the command of the *Constitution*, for the purpose of attending to his private affairs; and was succeeded by captain William Bainbridge.

Accompanied by the *Hornet* sloop of war, the *Constitution* sailed from Boston, on a cruise to the Pacific ocean, towards the end of October. In running down the coast of Brazil, they discovered the *Bonne Citoyenne*, a British vessel of war, of greater force than the *Hornet*, lying in the port of St. Salvador. Captain Lawrence, of the *Hornet*, sent a challenge, however, to the commander of the enemy's vessel, pledging himself that captain Bainbridge should not interfere. The British captain did not think proper to accept the offer, although the *Constitution* had sailed on another cruise, and the *Hornet* was left to blockade the enemy's vessel.

After leaving St. Salvador, captain Bainbridge steered along the coast of Brazil, until the 29th of December, when two sail were discovered, one of which stood in for the land, and the other towards the *Constitution*. The latter was soon perceived to be a British frigate, when captain Bainbridge tacked ship, and stood for her. At two P. M., the enemy being to windward, and having hauled down all her colours except the union, captain Bainbridge ordered a gun to be fired ahead of her, upon which she hoisted her colours, and returned the fire. The action now commenced with great vigour on both sides; the British frigate keeping at long shot, and the *Constitution* not being able to close with her, without exposing herself to the danger of being raked. The wheel of the latter, however, being shot away, captain Bainbridge now determined to bring his antagonist to close action. He accordingly luffed up, and took a position near to her. Soon after four o'clock, the fire of the enemy being completely silenced, the *Constitution* passed ahead, for the purpose of repairing her rigging. Finding, however, that the British flag was still flying, captain Bainbridge took a raking position on her bows, and was, at the moment, about to commence a destructive fire, when the enemy hauled down his colours, and surrendered his ship. Possession was soon after taken of her, when she proved to be the British frigate *Java*, carrying forty-nine guns, and manned with upwards of four hundred men. She was commanded by captain Lambert, a very distinguished officer, who was mor-

tally wounded; and was on her way to the East Indies, with a number of British land and naval officers. Among them was lieutenant-general Hislop and his staff. One hundred supernumerary seamen were also on board. Her loss was exceedingly severe, sixty having been killed, and considerably more than one hundred wounded. The Americans, as usual, suffered much less, only nine being killed, and twenty-five wounded.

Finding that the *Java* was so much injured by the fire of the *Constitution*, as to forbid the hope of getting her safe into the United States, she was set on fire on the 31st, the crew and passengers, and their baggage, having been previously removed. The prisoners, to the number of three hundred and sixty-one, including officers, were landed at St. Salvador, on their parole. The damage the *Constitution* received in the action, and her decayed state, made it necessary to return to the United States for repairs. She left St. Salvador on the 6th of January, and arrived at Boston on the 8th of the succeeding month.

In all the victories of the American navy, the skill and valour of the officers and crews were not less conspicuous than their humanity and generosity to their vanquished enemy. The truth of the old observation, that the brave are peculiarly susceptible of the kindly and gentler feelings of our nature, was never more strongly manifested than on these occasions. Everything that the most active humanity, as well as the most refined delicacy could suggest, was displayed towards the officers and crews of the *Guerriere*, the *Macedonian*, the *Frolic*, and the *Java*. Private property was scrupulously respected: and the acknowledgments of the enemy evinced their high sense of the liberality with which the conduct of the Americans had been marked.

It was not to be expected, however, that the conflict on the ocean, covered as it was by the ships of the enemy, could be carried on without some loss to the American navy. It was boldly anticipated by the British orators, at the commencement of the war, that the infant marine of the republic would be swept from the ocean, while the commerce of the British isles would be carried on, as usual, without interruption. Even

the best friends of America feared, that after a sanguinary opposition, and perhaps useless victories, the national vessels would be hunted from the ocean, or be compelled to surrender to an overpowering superiority. The contrast between these anticipations, however, and the actual result, was of the most striking nature, and must have afforded occasion to many mortifying reflections on the part of the British cabinet. Six months had now elapsed from the commencement of hostilities, during which time the national vessels of the republic had carried its flag into almost every ocean. Three of them only had fallen into the hands of the enemy, and those under such circumstances of relative force, as to reflect no discredit on the captured. The *Wasp*, sloop of war, was taken, as we have seen, by a seventy-four gun ship; the schooner *Nautilus*, of twelve guns, commanded by lieutenant Crane, surrendered, after a long chase, to a squadron of the enemy's frigates: and the *Vixen*, gun-brig, was captured on the 22d of November, by the frigate *Southampton*, and carried into the West Indies, where her commander, captain Read, subsequently died.

On the other hand, the havoc made upon the commerce of the enemy was beyond all previous calculation. It has been stated, upon good authority,* that previous to the meeting of congress, in November, nearly two hundred and fifty vessels had been captured by the American cruisers, and more than three thousand prisoners taken, while of the American merchantmen comparatively few had fallen into the power of the enemy. The injury thus inflicted on the British commerce was produced only in a partial degree by the public vessels. The American privateers swarmed in every sea, and the enterprise so conspicuous in the character of the nation, rendered them most formidable opponents. Being mostly built with a view to expeditious sailing, they were in general able to overtake the merchant vessels, and to escape from the fastest frigates of the enemy. These advantages were never sullied by inhumanity; and the generosity with which they, in many instances, acted in opposition to the love of profit, reflects credit on the national character.

* Niles's Weekly Register. Brackenridge's History of the War.

CHAPTER XLVI.

Meeting of Congress—Proposals for an armistice—Militia of the Eastern States—Remission of forfeited bonds—Bill relating to seamen—Increase of the army—of the navy—Treasury Report—Presidential election—Appropriations for the year 1813—Dissolution of Congress.

AFTER a recess of only four months, the congress of the United States assembled at the city of Washington, on the 2d of November, 1812. In that interval, however, many events of importance had occurred, to which their attention was now to be called.

One of the first measures adopted by the administration, after the bill to declare war had become a law, was to authorize the chargé des affaires of the United States, at the court of London, to acquaint the British government with the disposition of that of America to shorten the evils of warfare, and with the terms upon which it was conceived by the latter an accommodation might be effected. This authority, with power to conclude an armistice, to commence from the signature of the instrument, or at the end of fifty or sixty days, or the shortest term the British government would assent to, was communicated to Mr. Russell by Mr. Monroe, the secretary of state, on the 26th of June. The repeal of the orders in council of 1807, with a stipulation that the extensive blockades previously adopted should not be substituted, and the discontinuance of the practice of impressment, as well as the surrender of those who had been previously impressed, were the conditions on which the American administration conceived hostilities might be suspended. As an inducement for the British government to abandon the practice of impressment, Mr. Russell was authorized to make known to it, that a law would be passed to prevent the employment of British seamen in the vessels of the United States, a reciprocal regulation

being adopted by that power. In his subsequent letters of the 27th of July and 21st of August, the subject was renewed by Mr. Monroe; and proposals of the same nature made, with a view to a formal arrangement of the points of controversy. The intelligence of the conditional repeal of the orders in council having reached America, the despatch of August 21st was chiefly confined to the other subjects of complaint against Great Britain.

In conformity with his instructions, the propositions of the American government were laid before lord Castlereagh, the British minister of foreign affairs, by Mr. Russell, on the 24th of August. In his answer to this communication, his lordship, after adverting to the repeal of the orders in council, and having stated that measures had been taken to open a negotiation with the American government, through the British admiral on that station, acquainted Mr. Russell, that the Prince Regent felt himself under the necessity of declining to accede to his propositions. The preliminary condition of a discontinuance of the practice of impressment, was expressed to be inadmissible; and it was distinctly stated, that the British government would never consent to suspend the exercise of a right upon which it was conceived that the naval power of the empire chiefly depended, unless they were fully convinced that measures would be adopted, by which their seamen could be effectually secured. An overture of a similar nature was again made by Mr. Russell, on the 17th of September, in a communication held with lord Castlereagh; but this, like the preceding, having been declined, he returned to the United States.

We have seen, in a preceding chapter, that a proposal from the governor-general of Canada, through major-general Dearborn, for a suspension of hostilities, grounded upon the repeal of the orders in council, was rejected by the American administration. A subsequent proposition, made by admiral Warren, under the direction of his government, produced no more favourable result. It was proposed by that officer, in a letter to Mr. Monroe,* that the American government should instantly recall the letters of marque and reprisal, together

* Dated Halifax, (Nova Scotia) September 30, 1812.

with their orders for hostility against the British territory or subjects, the British government undertaking to issue corresponding directions for a cessation of hostilities. The revocation of the orders in council, which was now officially communicated, appeared to be the foundation of this application.

The answer of the American secretary* expressed the wishes of the president to terminate the war, on conditions honourable to both nations. To accomplish this object, however, it was conceived necessary that the great question of impressment should be satisfactorily adjusted. The proposal, made through Mr. Russell, that the practice of impressment should be abandoned, on the assurance of an act being passed to prohibit the employment of British mariners, was now renewed. A fair ground, at least, was laid for a discussion of this important question, provided the government of Great Britain were willing to admit this as a basis, and to abstain from the practice during the negotiation. On this foundation the United States were willing to proceed to a suspension of hostilities. No answer appears to have been received to this communication, and the prospect of a speedy pacification was therefore at an end.

We have had occasion to observe, in the preceding pages, the alacrity displayed by the militia of the western and of some of the middle states, in complying with the calls of the national government, as well as the assistance and facilities afforded by the local authorities in aiding its views. A very different scene was presented in some of the eastern states. The authority, given by the act of congress, of April, 1812, to the president, to call upon the respective governors to equip and hold in readiness their several quotas of militia, had been duly exercised; and, on the 12th of June, the executive officers of Massachusetts and Connecticut, were officially requested to order into the service of the United States, such parts of the detached militia of their respective states, as major-general Dearborn might require. A short time subsequent to this communication, the governor of Massachusetts was requested, by general Dearborn, to detach a certain force,

* October 27, 1812.

specified in his letter, for the defence of the maritime frontier: and a similar requisition was made upon the chief magistrate of Connecticut. A very important and fundamental objection was, however, made by these officers, to a compliance with the wishes of the national government. The constitution of the United States gives to congress a power "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions:"* and declares that the president shall be "commander in chief of the militia of the several states, when called into the service of the United States."† It was supposed, by the national as well as most of the state governments, that the power of determining when the exigencies existed on which the militia were to be called forth, was inherent, from the necessity and propriety of the case, in the federal government; and that the legitimate construction of the next article manifestly gave to the president the right of delegating the command of portions of detached militia to such officer as he thought proper, provided he were not inferior in rank to the commander of the militia. The governors of Massachusetts and Connecticut, however, thought differently. They contended, on the first point in dispute, that as by the constitution the power of determining when these exigencies existed, was not *expressly* vested in the president or congress, it came within the provision of the twelfth article of the amendments thereto, which reserves to the states respectively, or to the people, all the powers not delegated to the United States. A contrary construction, they held, would have a tendency to produce a military consolidation of the states, and to place the militia thereof under the control of the president.‡ As to the command of the militia, when actually in the service of the United States, it was admitted, that it resided in the president, if personally present; but it was denied, that he possessed a constitutional power to devolve it upon another. The constitution expressly reserved the power of appointment of officers of the militia to the states respectively:§ and it was conceived that this pro-

* Art. 1, Sec. viii.

† Art. 2, Sec. ii.

‡ Decision of the judges of the supreme court of Massachusetts.

§ Art. 1, Sec. viii.

vision would be rendered nugatory, if the militia, when in the service of the United States, were placed under any officer not of the militia, except the president.

With this construction of the constitution, in which they were countenanced by a decision of the judges of the supreme court of Massachusetts, the governor of that state and of Connecticut, professing that, in their opinion, the exigencies did not exist, declined to call out any part of the militia under their command into the service of the United States. The governor of the state of Rhode Island subsequently adopted the same view of the constitution; and the national government was thus deprived of an important means of defence of the sea coast.

In his message to both houses of congress, at the commencement of the session, the president of the United States, as usual, took a retrospective view of the state of the republic, since the last session. He adverted to the military and naval events, which had then taken place; to the novel, and, as he considered it, unfortunate, exposition of the constitution by the governors of Massachusetts and Connecticut, in relation to the militia; and to the different propositions for a suspension of hostilities, made by the American and British governments. The relations of the republic with the continental powers of Europe, were stated to bear, in general, a favourable aspect. He recommended in a pointed manner to congress the propriety of increasing the inducements to enlist in the regular army, exhibiting the insufficiency of the existing provisions to fill up the military establishment. An addition to the number of general officers, and a new organization of the staff department, were also suggested. The state of the navy was slightly noticed, and an enlargement of it recommended. The receipts into the treasury, for the year ending on the 30th of September, were stated to have exceeded sixteen and a half millions of dollars, including a sum of five millions eight hundred and fifty thousand dollars received from loans, which were sufficient to defray all the demands on the treasury to that day. After noticing other matters of less importance, the message concluded with an expression of confidence in the final success

and prosperity of the republic, arising from what was considered the flattering state of the pecuniary resources, and from the spirit and strength of the nation.

The first important subject which occupied the attention of congress, was one which, from the unfortunate and ruinous situation in which it placed many of the mercantile part of the community, as well as the great amount of property at stake, deserved their serious consideration.

The laws of the United States, which forbade the importation of British manufactures previous to the war, contained a proviso, that in case the orders in council should be repealed, the president should declare the same by proclamation, from the date of which the restrictions should cease to exist. The orders in council, as we have seen, were indeed repealed, on the 23d of June, 1812: but, as the act declaring war between the two countries had passed five days previous to that event, no proclamation had been issued by the president, announcing it. In the expectation of such a proclamation, however, or of the repeal of the non-importation acts, a great amount of British manufactures had been purchased in that country, by citizens of the United States, and was shipped to different ports in the republic; much of it previous to the declaration of war being known, but a great part of it under licenses from the British government, after that event. When these goods arrived in America, they were seized by the officers of the government, for a violation of the still subsisting non-importation law. They were returned, however, to their owners, on their giving bonds to refund their value.

The question of remitting these bonds was referred, by the house of representatives, in the first instance, to the committee of ways and means, who, after a long examination of several merchants of the principal commercial cities, and a correspondence with the secretary of the treasury, reported, that, in their opinion, that officer had full power to remit or mitigate the penalties incurred, and that therefore it was inexpedient to legislate on the subject.

On the 10th of December, the resolution recommended in the report of the committee was negatived, by a majority of

three votes; and, on the 15th, a bill which had passed the senate by a large majority, directing the secretary of the treasury to remit, on payment of costs, all bonds given for property shipped between the 23d of June and the 15th of September, was agreed to by the house of representatives. The property involved in this controversy is said to have exceeded in value forty millions of dollars.

On the 29th of January, the committee on foreign relations, at the head of which was Mr. Grundy, of Tennessee, presented a long report on the subjects in controversy with Great Britain, and the pacific advances made since the declaration of war. The course pursued by the administration was applauded, both in the desire manifested to obtain a cessation of hostilities, and in the rejection of the terms proposed by the British government. The impressment of American seamen being considered a principal cause of the war, hostilities, it was held, ought to be prosecuted until that cause were removed. The United States could never acquiesce in a continuance of the practice; and the omission to notice it, in a treaty of peace, would be, in effect, an absolute relinquishment of their opposition to it. But it was conceived that an arrangement could be made between the two nations, whereby the motive to the exercise of this pretended right would be removed. Each country might, by law, exclude from its service the seamen of the other, and secure the regulation from evasion, by adequate penalties. Were this provision adopted by the United States, the foundation of the claim to impressment must cease, for British seamen would not be found on board American vessels.

The committee concluded with recommending the passage of a bill, relating to the employment of foreign seamen, drawn up in conformity with the principles of their report.

The bill thus brought in, finally passed both houses, by considerable majorities, though not without a strenuous opposition from individuals of both parties, and some alterations. It provided that, from and after the termination of the war with Great Britain, it should not be lawful to employ, on board of the public or private vessels of the United States, any person

not a citizen of the United States ; that no naturalized citizen should be employed, without producing a certified copy of the act by which he had been naturalized ; and that no person should thereafter be admitted to citizenship, who had not resided within the territory of the United States five years, without intermission, subsequently to his application for admission. To enforce these prohibitions, it was enacted, that no person should be admitted on board any merchant vessel, who should not be approved and certified by the collector ; that the penalty of one thousand dollars should be levied on the commander of any public vessel, who should knowingly employ or receive any person on board, contrary to the provisions of the act ; and a penalty of five hundred dollars on the master or owner of a private vessel, for the commission of the same offence ; that no sea-faring person should be received on board any public or private vessel of the United States, in a foreign port, as a passenger, without a passport from the proper officer, in the country of which such person was a citizen or subject. It was provided, however, that the act should not extend to any mariner, whose government or nation should not have forbidden the employment, on board of her public or private vessels, of the native citizens of the United States.

The administration was thus furnished, as was supposed, with an important aid to any future negotiation for the conclusion of hostilities : but, in the mean time, it was not forgotten, that a formidable display of the means of prosecuting a war, affords a more convincing argument to the minds of most governments, than any that can be derived from the reason or justice of a cause. The ancients, who clothed the goddess of Wisdom in armour, appear to have been aware of the human propensity to listen with more respect to the dictates of reason, when sustained by military preparation.

Both the amount and organization of the army had been found insufficient to accomplish any important objects. One of the first measures, therefore, proposed in congress, was to provide greater inducements to enlist, as well as to increase the authority given to the president to raise forces. An addition of two dollars per month was made to the pay of the non-

commissioned officers and privates by one act, by which also they were exempted from arrest, for debts contracted before or after enlistment. By another act, an advance of twenty-five dollars, on account of his pay, in addition to the existing bounty, was directed to be paid to each recruit, duly enlisted to serve for five years; and an additional premium was allowed to the recruiting officer. In augmentation of the subsisting force, the president was authorized to raise such number of regiments of infantry, not exceeding twenty, as in his opinion would be necessary for the public service. The recruits for this force were to be enlisted for one year, unless sooner discharged; were to receive a bounty of sixteen dollars each, with the same pay and emoluments as those of the former military establishment. By the same act, the laws previously passed, authorizing the acceptance of volunteer corps, were repealed, it having been found, that little or no benefit had been derived from them. Ten additional companies of rangers were subsequently authorized to be raised, for the protection of the frontier.

The regular force of the United States having now been increased to about fifty-five thousand men, it became necessary to render it efficient as an army, by a more suitable organization, and a corresponding increase of general officers. Of the latter, the president was authorized to appoint six major-generals and six brigadiers, in addition to those already appointed: and to the departments of the adjutant, inspector, and quarter-master generals, were added a considerable number, and a greater variety of officers. With a view to the better supply of the army, and the accountability of persons employed in that department, a superintendant-general, and additional commissaries were authorized to be appointed, and other regulations adopted for the same purposes.

The brilliant and unexpected exploits of the navy, which we have heretofore narrated, had filled the public mind with admiration, and created an anxious desire to see its capacity more commensurate with its enterprise. The government was not less desirous to evince that they partook of the same feelings. Besides voting medals to each of the officers enga-

ged in those meritorious actions, congress occupied itself immediately in authorizing and preparing the means for an addition to the navy. It became a question, at the outset, what species of armed vessel was the best suited to the situation and means of the republic. The opinions of captains Hull, Stewart, and Morris, were consulted, who agreed in the propriety of building vessels of similar force and rate to those of the enemy. Line-of-battle ships, or those carrying seventy-four cannon and upwards, were recommended as being comparatively more economical, as well as better suited to the defence of the coast, than frigates, although a due proportion of the latter, as well as of sloops of war, was advised.

In conformity with these suggestions, a bill was reported in the senate, on the 30th of November, authorizing the construction of four ships of seventy-four guns, and six frigates of forty-four guns; and soon afterwards passed that body by a majority of twenty-three votes to seven. In the house of representatives, however, it met with considerable opposition. A motion to strike out the words authorizing seventy-four gun ships, prevailed by a small majority. On a subsequent day, the question was re-considered, and the bill, as it came from the senate, was agreed to.

A supplementary act, passed on the last day of the session, authorized the building of six additional sloops of war, and of as many other vessels on the lakes as the public service might require. For the purpose, also, of establishing a dock yard, for the repair of vessels of war, the sum of one hundred thousand dollars was appropriated; and the president was authorized to dispose of such of the gun-boats, as, in his judgment, were unnecessary to be retained.

A plan, which had been a favourite idea with its inventor, Mr. Fulton, for the destruction of the enemy's armed vessels, by means of submarine explosion, having been brought before congress, a bill was introduced, and passed into a law, for the encouragement of the same: and a bounty of one half the value of the vessel destroyed, was directed to be paid out of the treasury, to the person who should effect it. The scheme, however, notwithstanding this patronage, failed of producing

any important results. It was loudly stigmatized by the enemy, as barbarous and unlawful, while they appeared to forget that it had been sanctioned in the first instance by themselves, as a means of annoyance to the French navy. Such are the inconsistencies, into which nations are frequently betrayed, by the violence of hostility.

The more difficult and unpleasing task of finding means to defray the increased expenses of the government, was now to be undertaken by congress. The secretary of the treasury, in his report for the year, ending on the 30th of September, 1812, had stated the actual receipts, during that

period, at	-	-	-	-	-	\$ 16,782,159	40
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Adding to which the balance in the treasury, at the date of the last report	-	-	-	-	-	3,947,818	36
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Made the total	-	-	-	-	-	\$ 20,729,977	76
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The disbursements during the same year amounted to	-	-	-	-	-	18,368,325	07
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Leaving a balance in the treasury of	-	-	-	-	-	\$ 2,361,652	69
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For the ensuing year, it was estimated that the receipts would not exceed	-	-	-	-	-	\$ 12,000,000	00
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While the expenditures, it was supposed, would amount to	-	-	-	-	-	31,925,000	00
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Leaving a balance to be provided for, of	-	-	-	-	-	\$ 19,925,000	00
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These estimates not being predicated on the supposed increase of the army and navy, an additional sum would therefore be required. To meet this expected deficiency, two bills were brought in by the committee of ways and means, and subsequently passed into laws; the first authorizing a loan of sixteen millions of dollars, reimbursable at any time after the expiration of twelve years from the first day of January, 1814; the second giving the president power to issue treasury notes to an amount not exceeding five millions of dollars. No other provision was made, during the session, for an adequate re-

venue; nor were there sufficient means provided for the due payment of the interest on the loans thus authorized. They were, therefore, effected on terms very unfavourable to the government, principally from the want of confidence in its financial resources.

The votes given by the electors, appointed in the respective states to choose a president and vice-president of the United States, having been duly received, the two houses met in convention, in conformity with the constitution, on the 10th of February, for the purpose of ascertaining upon whom the choice had fallen. The votes having been counted, it was announced by the president of the senate, that for the office of president,

James Madison, of Virginia, had	128 votes,
De Witt Clinton, of New York,	89 votes.

For the office of vice-president,

Elbridge Gerry, of Massachusetts, had	131 votes,
Jared Ingersoll, of Pennsylvania,	68 votes.

James Madison was then declared to be elected president of the United States, and Elbridge Gerry vice-president, for the term of four years, from the 4th day of March, 1813.

CHAPTER XLVII.

Operations on the north-western frontier—Capture of Frenchtown—Battle and massacre at Raisin—Siege of fort Meigs—Affair of colonel Dudley—The siege raised.

THE services required by the administration to be performed on the north-western frontier, were, indeed, as we have stated, of the most arduous and extensive nature. With the scattered and irregular force of which the army of general Harrison was chiefly composed, to carry on offensive operations, through a swampy and intricate wilderness, was a task which, even at the most favourable season, would require all his varied talents to execute. When the duty of attempting the recapture of Detroit was devolved upon him, the autumn had already commenced; and his arrangements were undertaken at the very season “the prudent caution of president Washington had directed the army of general Wayne to be placed in winter quarters.”*

In his official letters to the secretary of war, for which we are indebted to an author to whom we have often referred,† general Harrison took occasion frequently to express his opinion upon what he considered the proper policy to be pursued. On the 12th of December, he wrote from Delaware, (in the state of Ohio) “If there were not some important political reason, urging the recovery of the Michigan territory, and the capture of Malden, as soon as those objects can possibly be effected; and that, to accomplish them a few weeks sooner, expense was to be disregarded, I should not hesitate to say, that if a small proportion of the sums which will be expended in the quarter-master’s department, in the active prosecution

* Official letter—M’Affee’s Hist. p. 197.

† M’Affee’s History of the War in the Western Country.

of the campaign during the winter, was devoted to obtaining the command of lake Erie, the wishes of the government, in their utmost extent, could be accomplished, without difficulty, in the months of April and May. Malden, Detroit, and Mackinaw, would fall in rapid succession. On the contrary, all that I can certainly promise to accomplish during the winter, unless the strait should afford us a passage on the ice, is to recover Detroit.”*

The command of lake Erie, prior to any offensive operations against the enemy's territory, appears to have been considered by general Harrison, as it was by general Hull, an object of the first importance, which ought to have claimed an earlier share of attention. In a letter of the 8th of January, to the secretary of war, the superior economy of that plan is plainly evinced. “I have no means of estimating correctly the cost of a naval armament, capable of effecting this object; but, from my knowledge of the expense of transporting supplies through a swampy wilderness, I do believe, that the expense which will be incurred in six weeks, in the spring, in an attempt to transport the provisions for the army along the road leading from the Rapids to Detroit, would build and equip the vessels for this purpose.”†

The great and unavoidable difficulties under which he laboured, at that season of the year, were forcibly represented, on many occasions. On the 22d of October, he writes, “I am not able to fix any period for the advance of the troops to Detroit.” “To get supplies forward, through a swampy wilderness of near two hundred miles, in wagons or on pack-horses, which are to carry their own provisions, *is absolutely impossible.*”‡ The Michigan territory, it appears, afforded no species of supplies. The article of forage must have been brought from the state of Ohio, “a circumstance which must at once put to rest every idea of a land conveyance at this season; since it would require at least two wagons with forage, for each one that is loaded with provisions and other articles.”§

* M’Affee’s Hist. p. 187.

† Ibid, p. 198.

‡ Ibid, p. 164-5.

§ Ibid, p. 165.

Again, on the 12th of December, we find the same inconveniences subsisting. "The greatest obstacle to our success is the want of forage, which for this line we are obliged to bring from the neighbourhood of Chillicothe, at an immense expense, which can scarcely be conceived." "I fear that the expenses of this army will greatly exceed the calculations of the government. The prodigious destruction of horses can only be conceived by those who have been accustomed to military operations in a wilderness, during the winter season. The fine teams which arrived on the 10th instant at Sandusky, with the artillery, are entirely worn down; and two trips from M'Arthur's block-house, our nearest deposit to the Rapids, will completely destroy a brigade of pack-horses."*

In addition to these impediments to an active prosecution of the war, the sufferings experienced by the troops, during the inclement season, were of the most painful nature. Many of the militia were without covering to their feet; and a fine body of regulars, of the 17th and 19th regiments, were nearly destroyed for want of clothing.†

The total amount of the force under the command of general Harrison was estimated at ten thousand men. From the extreme rigour of the season, however, it was supposed that the whole effective force on the frontier did not exceed six thousand three hundred, which appear to have been entirely infantry.‡ Having communicated to the administration his ideas on the subject of the future operations of his army, he received from the war department powers to prosecute the campaign in conformity with his own views, with an assurance that the government was determined to make the most vigorous and active exertions to obtain the command of the lake, which they expected to accomplish at an early period in the ensuing spring.§ In answer to this despatch, general Harrison stated, that, believing it to be the wish of the government to regain the lost ground, as well as to conquer Upper Canada, he did not consider himself authorized to adopt another alternative; and that the silence of the war department on the sub-

* M'Affee's Hist. p. 187.

† Ibid, p. 196.

‡ Ibid.

§ Ibid, p. 190.

ject of the enormous expense which would attend the operations of the army, led him to conclude that it would be disregarded.*

The plan now laid down was similar to the one heretofore adopted, to occupy the Rapids of the Miami; to collect provisions there; to move from thence with a select detachment; and, making a feint upon Detroit, to pass the strait upon the ice, and invest Malden.† The force he proposed to assemble at the Rapids, was from four thousand five hundred to five thousand men. This body, as we have stated,‡ was to proceed in three divisions, from fort Defiance, fort M'Arthur, and Upper Sandusky. To the latter place general Harrison proceeded, soon after the 8th of January, where he found the Virginia and Pennsylvania brigades, making his effective force there about fifteen hundred men; and a large quantity of artillery, with the necessary munitions of war, soon after arrived.§ From this place he despatched orders to general Winchester, whom we left at fort Defiance, to advance to the Rapids, as soon as he had accumulated provisions for twenty days. He was directed to commence there the building of huts, with a view of inducing the enemy to believe he was going into winter quarters; and to construct sleds for the expedition against Malden.||

Having received a supply of provisions and clothing, and provided for the sick, general Winchester commenced his march, in conformity with his directions, on the 30th of December. The progress of his army was necessarily very slow; and while performing it, general Winchester received a despatch from the commander-in-chief, (founded upon some information of the extent of the Indian force on the Wabash) recommending to him to abandon the forward movement, and fall back to fort Jennings. He did not, however, think himself required to discontinue his march; and arrived at the Rapids on the 10th of January, where he immediately formed a fortified camp, on an eminence surrounded by prairies.¶

* M'Affee's Hist. p. 194.

† Ibid.

‡ Supra, page 220.

§ M'Affee's Hist. p. 199.

|| Ibid, p. 200.

¶ Ibid, p. 201-2.

On the 11th, a despatch, directed to fort M'Arthur, was sent to apprise general Harrison of the arrival of the detachment at the Rapids ; and, on the succeeding day, another was sent to Lower Sandusky, both of which were delayed several days beyond the expected time.

Information was received, on the 13th, which was corroborated on the following day, that the Indians had threatened to burn the town at the river Raisin, and massacre the inhabitants. Their force was stated not to exceed two hundred, with two companies of Canadian militia. The utmost anxiety prevailing in the army to advance to that place, a council of officers was called, a majority of whom were decidedly in favour of sending on a strong detachment.

Accordingly, on the morning of the 17th, colonel Lewis was detached, with five hundred and fifty men, to the river Raisin ; and, a few hours afterwards, he was reinforced by colonel Allen, with upwards of one hundred men. On the march, the commander learned that there were about five hundred Indians at Frenchtown, and that colonel Elliott was expected from Malden, with a force destined to attack the camp at the Rapids. He resolved, therefore, to gain possession of Frenchtown previous to the arrival of colonel Elliott. When he approached within a few miles of the town, he was discovered by a party of the enemy, who hastened to give the alarm. The troops were formed in line of battle, when they arrived within a quarter of a mile of the village, and a general charge was immediately made upon them. The enemy were dislodged from the houses and picketting, with great gallantry, by majors Graves and Madison, and falling in with colonel Allen's command on the right, a warm contest ensued, which ended in their repulse ; and they were pursued by the troops about two miles.

The detachment appears to have behaved with great bravery on the occasion : its loss was twelve killed and fifty-four wounded. The enemy, who were commanded by major Reynolds, of the British regulars, were supposed to have consisted of about one hundred whites, and four hundred Indians : their loss was not known : fifteen were found dead, where the action commenced. Colonel Lewis resolved on holding the place ;

and immediately sent off expresses to generals Harrison and Winchester.*

The former officer had unfortunately not received the despatch of general Winchester, announcing his intended march to the Rapids, until the 11th of January. No further intelligence was received until the 16th, when he was informed, through another channel, of the arrival of the detachment at that place, and of the contemplated movement in advance. Alarmed at this information, he immediately gave orders for the movement of the artillery, accompanied by a guard of three hundred men, to the Rapids. Owing, however, to the extreme badness of the roads, little progress could be made. He himself immediately set out for Lower Sandusky, where he found that general Perkins had prepared a battalion, with a piece of artillery, to reinforce general Winchester. Having received information of colonel Lewis's success at the river Raisin, he determined to proceed to the Rapids immediately; and ordered the remainder of general Perkins's brigade to follow him to the same place. On the morning of the 20th, he arrived at general Winchester's camp, and found that he had gone, the preceding evening, to the river Raisin, leaving behind him a force of about three hundred men.†

The news of colonel Lewis's success had excited a great desire at the Rapids to proceed to his support. It was feared that an attempt would be made by the British to regain the lost ground, Malden being but eighteen miles distant.

On the night of the 20th, general Winchester arrived at Frenchtown, with about two hundred and fifty men, and encamped in an open lot, on the right of colonel Lewis's detachment, which was protected in its encampment by some close garden pickets.‡ On the 21st, colonel Allen left Frenchtown for the Rapids; and a place was selected for a fortified camp for the whole detachment, which it was intended they should commence on the ensuing day. But another kind of labour, alas! awaited them: and men eminent for valour, and virtue, and patriotism, were doomed to fertilize with their blood, and

* M'Afee's Hist. p. 205—8.

† Ibid, p. 209—10.

‡ Ibid.

to whiten with their bones, the sterile soil, of which they vainly hoped they had become masters.

Late in the evening of the 21st, information was given to general Winchester, by a person who had recently left Malden, that a large force of British and Indians was about to march from that place, shortly after his departure. Unfortunately, however, little attention appears to have been given to the report :* and the most fatal security prevailed among both officers and men, unsuspecting of the tragedy about to follow.

A most striking proof of the want of proper preparation on the part of the American commander, is evinced by the fact, that no picket guard was placed at night, on the road by which the enemy was to be expected.† The latter had thus been enabled to approach very near to the camp without discovery, and to station their cannon behind a small ravine, which ran across the open fields on the right. Soon after day-light, on the 22d, they opened a heavy fire from their artillery, at the distance of three hundred yards. The American troops were immediately formed, and received a charge from the British regulars, and a general fire of small arms. The detachment under colonel Lewis, being defended by pickets, soon repulsed the enemy : but the reinforcement which had arrived with general Winchester were overpowered ; and not being able to rally behind a fence, as directed by the general, were thrown into complete confusion, and retreated in disorder across the river. All attempts to rally this unfortunate body, although made in various places by general Winchester and colonels Lewis and Allen, proved in vain. They endeavoured, as the Indians had gained their left flank and rear, to make their escape through a long lane, on both sides of which the savages were stationed, by whom they were shot down in every direction. Their officers also, carried in this general tide of flight, attempted to escape, only, in most instances, to be massacred. Colonel Allen, and captains Simpson and Mead, were killed on the field, or in the flight : and general Winchester, with colonel Lewis, were captured a short distance from the village.

* M'Afee's Hist. p. 212.

† Ibid.

That part of the American force, however, which had been stationed behind the picketting, maintained their post with undiminished bravery. About 10 o'clock, the British commander drew off his forces, with the apparent intention of abandoning the conflict: but, finding that general Winchester was his prisoner, he represented to him, that nothing but an immediate surrender could save the rest of the Americans from massacre by the Indians. Influenced by this appeal, the general consented to issue the order, which was conveyed to the detachment by a flag of truce. Finding that the force opposed to them was far superior in numbers, that there was no possibility of a retreat, and that their ammunition was nearly exhausted, major Madison, who commanded, consented to surrender, on condition of being protected by a guard, and that the sick and wounded should be sent, on the succeeding morning, to Amherstburg. Colonel Proctor, the British commander, having promised the American officers, that their wounded should be removed the succeeding day, marched, about 12 o'clock, with his prisoners, leaving major Reynolds, with two or three interpreters.

The unfortunate soldiers, who had been thus left, wounded and helpless, in the power of their enemy, had a right to expect, that, at least, the common duties of humanity would be exercised towards them. But the most horrible act of this sanguinary tragedy was yet to be performed. Charity induces us to hope, that the tales which innumerable eye-witnesses and sufferers have related of the barbarities that ensued, have been heightened by the colouring with which it was natural to invest them. Making all due allowance, however, on this ground, enough remains to satisfy the mind, that the cruelties perpetrated, on this occasion, were as shocking to human nature, as any which history, fruitful as it is of the crimes of man, has ever recorded. For the slaughter that has sometimes followed a desperate and protracted resistance, some apology may be found in the exasperated passions of our nature. Self defence, too, may require, and humanity may then palliate, the destruction of prisoners: but for the massacre of the wounded, no excuse of this sort can be devised. Their sufferings

speaking a language which none of the children of a common God can misunderstand, and which the greater part of mankind have therefore respected. The result of this affair affords a strong admonition against the employment, in civilized warfare, of allies by whom the most sacred calls of humanity are habitually disregarded. To the immediate agents of this sanguinary outrage, the scene was not new : their savage habits, and equally barbarous religion, as well as their ancient hostility to the whites, threw no impediments in the way of the gratification of their revenge. But no excuse of this nature can be offered on the part of the British commander. It had been often said by the friends of Great Britain, that the ties by which a common language, a common religion, and a common descent, bound the two nations together, were of the strongest and most endearing kind. These claims upon the humanity of their enemy unfortunately availed nothing to the sufferers at Frenchtown : their blood, which flowed so profusely, affords a striking proof of the feebleness of the moral bonds by which nations are connected, as well as of the inconsistency which often exists between the faith and the actions of a people. The speculative philanthropy of the British nation has led it to disseminate in every quarter of the globe the doctrines of a pacific religion, and the precepts of a pure morality : but the remembrance of the tears and bloodshed of Frenchtown will long darken its fame, and foster a spirit of animosity towards it, in a people whom Providence has destined to survive both its charities and its cruelties.

It has been said that the British officers were not responsible for the deeds of their allies, who acted upon no suggestion or impulse but their own. Admitting the fact, that no influence was exerted over them, the moral offence of their Christian coadjutors is but little diminished. He who, possessing the means of preventing crime, shall yet refuse to interfere, is hardly less guilty than the perpetrator. Posterity, in whose impartial scales these awful scenes are to be weighed, will not hesitate to include in the same sentence of condemnation both those who committed the massacre, and those by whom it was not forbidden.

The Indian warriors, who had participated in the engagement, had chiefly left the village of Frenchtown, with their allies, soon after the conclusion of the conflict. They proceeded, however, only a few miles on the road to Malden; and at sun-rise, on the succeeding day, returned to the village. The miserable night, which succeeded the battle, had been passed by the wounded in a state of anxious suspense, suffering from their corporeal calamities, and uncertain of the fate which awaited them. With the return of day, however, came a renewal of the hope, that the engagement of the British commander, to provide carriages for their conveyance to Malden, would not be broken. The delusion was of short continuance; the work of death had already begun. Captain Hickman, who lay severely wounded, was dragged to the door, and speedily tomahawked. This was the signal for a general destruction. The houses, in which the greater part of the prisoners were confined, were set on fire, and most of those ill-fated men perished in the conflagration. Those who possessed sufficient strength, endeavoured in vain to escape; as fast as they appeared at the windows, they were thrust back into the devouring flames. Others met their death in the streets from the tomahawk, and were left mangled on the highway.*

The circumstances attending the destruction of captain Hart, inspector-general of the army, were peculiarly melancholy, and reflect the greatest disgrace on those who ought to have prevented it. Being severely wounded, previous to the departure of the enemy, he expressed to captain Elliott, of the British army, with whom he had been personally intimate, a desire to be conveyed, with the other prisoners, to Malden. He was assured, however, by the latter, that no danger need be apprehended, and that a conveyance would be provided for him on the succeeding morning: but that morning only arrived to show him the fallacy of the hope of relief, and the fate for which he was reserved. When the savages arrived at the house in which he was confined, he was attended by a surgeon, who was tied, and conveyed to a British camp, some miles

* M'Affee's Hist. p. 218.

distant. He there met with captain Elliott, to whom he related the dreadful scenes he had witnessed, and in particular described the impending fate of captain Hart. The feelings of the British officer were, however, untouched by the narration: and no entreaties could induce him to take means for the preservation of the suffering Americans. The unfortunate captain Hart had, in the mean time, been able to induce one of the Indians, by the offer of a large pecuniary reward, to convey him to Malden. He was placed on a horse, and was conducted through the vicinity of the town, where they encountered another savage, who claimed him as his prisoner. To put an end to the dispute, they dragged him from his horse, and despatched him with a war-club. He met his fate with composure and fortitude.*

Many other officers are also enumerated among the victims of this dreadful day. Among them were majors Graves and Woolfolk, the latter an aid of general Winchester.

With further details of individual suffering, it is needless to swell these pages. Of the extent of the massacre, some idea may be formed by the statement, that of the whole American force, previous to the engagement, only thirty-three escaped to the Rapids. Five hundred and forty-seven were taken prisoners by the British, and forty-five by the Indians. Two hundred and ninety were killed during the battle, or put to death subsequently, or were missing, and not afterwards heard of.† The slaughter did not cease on that day; for some period afterwards fresh scalps were carried into Malden.‡ The prisoners who had been taken by the British, after being exposed to all the rigour of the inclement season, were marched through the interior to fort George, where they were paroled, and permitted to return home, by the way of Pittsburg.

Nothing could exceed the distress and indignation evinced in the state of Kentucky, on the receipt of the mournful intelligence. Many of her bravest and best citizens had enrolled themselves under general Winchester's command, with a hope of retrieving the lost credit of the nation. Almost every

* M'Affee's Hist. p. 220.

† Ibid. p. 221.

‡ Ibid. p. 220.

family had some friend, for whose fate the most bitter anxiety was experienced. Weeks and months rolled slowly away, before their suspense could be in any degree removed; and time has not yet cleared up the mystery which hung over the fate of some of those gallant soldiers.

General Harrison, who had arrived at the Rapids on the 20th, a few hours after general Winchester had left that place, immediately despatched an order to the latter, to "maintain the position at Frenchtown, at any rate."* On the evening of the succeeding day, a regiment of general Perkins's brigade, and the remaining Kentucky troops, under general Payne, were ordered to Frenchtown, for which place they left the Rapids on the morning of the 22d. At ten A. M. on that day, the news of the attack on general Winchester's camp was received, and the whole body was hastened on, accompanied by general Perkins in person. On the road, they learned the melancholy intelligence of the total and irretrievable defeat of the detachment. No choice was then left but a return to the Rapids, which was accomplished without loss.†

The disaster which had befallen the *elite* of the army,‡ at Frenchtown, gave a decisive blow to the operations of the campaign. The force that remained at the Rapids consisting of only about nine hundred men, and a single piece of artillery, it was decided by a council of war, convened by general Harrison, that it would be expedient to fall back on their resources. Accordingly, on the succeeding day, the block-house, with a quantity of provisions, having been set on fire, the remains of the army retired as far as Portage river, about eighteen miles distant, where the camp was strongly fortified.§ Here they remained until the 1st of February, when a reinforcement under general Leftwich having arrived, which increased his force to about seventeen hundred men, general Harrison returned to the post of the Rapids, and encamped on the south-east side of the river, at a spot which he deemed more suitable than that occupied by general Winchester. The arrival of some troops

* M'Affee's Hist. p. 210.

† Ibid. p. 210, 230.

‡ Ibid. p. 233.

§ Ibid. p. 237.

from Kentucky and Ohio, rendered his army about two thousand strong : but, in consequence of the mildness of the season, the roads were become almost impassable ; and the ice being too weak to bear the march over it of the troops, the enterprise against Malden was totally abandoned for the season.

The attention of general Harrison was now turned towards the fortifying of his position, which service was entrusted to captain Wood, of the corps of engineers. The force, which remained at the Rapids, consisted of about seventeen hundred men, and was vigorously employed in this important operation. The camp was about two thousand five hundred yards in circumference, the whole of which, with the exception of several intervals left for batteries and block-houses, was to be picketed with timber fifteen feet long, from ten to twelve inches in diameter, and set three feet in the ground.* The position thus fortified was denominated fort Meigs.

The period of service of the Kentucky and Ohio troops was now drawing to a close ; and, notwithstanding a liberal pecuniary offer from the legislatures of those states, they generally testified an intention to return to their homes, though they expressed, at the same time, a willingness to advance against the enemy, if their commander should think proper to lead them. An additional draft of three thousand men was therefore made, by virtue of an act of the legislature of Kentucky, which was organized into four regiments, under colonels Boswell, Dudley, Cox, and Caldwell, the whole commanded by brigadier-general Green Clay. The two former were directed to assemble at Newport, on the 1st of April. On the 1st of March, the whole that remained of the preceding draft from Kentucky and Ohio, had been honourably discharged.†

In the mean time, general Harrison, foreseeing the probability of an attack upon his new position at the Rapids, had repaired to the interior, for the purpose of hastening the march of the reinforcements. Soon after his despatch of the

* Colonel Wood's Journal, in M'Affee's History—a very interesting document.

† M'Affee's Hist. p. 247, 254.

11th of February, in which he had announced to the government the termination of the campaign, he received from the war department instructions for the future conduct of hostilities on that frontier. He was directed principally to rely on the regular troops then raising in Ohio and Kentucky, and to make up any deficiency that might exist in that force with militia.* The great expense which was found to have previously attended the employment of the latter species of troops, induced the government to disapprove of any further draft, and to adopt more precise rules for their employment. General Harrison was directed to maintain his post at the Rapids, unless he should be unable to subsist his troops there: and he was authorized to employ the two regiments intended to be raised in Ohio for that purpose.†

In answer to this despatch, general Harrison represented the exposed situation of the frontier, the large force that would be required to garrison fort Meigs, and the incapacity of the small portion of regular troops within the bounds of his command to accomplish the desired objects. The government was assured, that the regular force, upon which they relied, could not be raised in time for any useful purpose. The recruits in the state of Ohio amounted to but about one hundred and forty; and, from the situation of the country, it could not be expected that the ranks of the regular army would be speedily filled.‡

Previous to receiving these instructions, general Harrison had called for reinforcements of militia from both Kentucky and Ohio; and he now proceeded to Newport, to meet that part of the draft from the former state, which, as we have related, was to assemble at that place. Having waited till the three first companies had arrived, he sent them on to the Rapids on pack-horses, ordering them to make forced marches; and directed the remainder of the Kentucky regiments to follow him with the utmost expedition. The time of the Virginia and Pennsylvania troops having expired, they all returned home, with the exception of about two hundred of the latter, notwithstanding the earnest appeals of general Harrison, found-

* M'Affee's Hist. p. 249.

† Ibid. p. 249, 250.

‡ Ibid. p. 251.

ed upon the probability of an attack being made by the enemy.* According to colonel Wood's journal, the commander of these troops, general Leftwich, was highly censurable. After their departure, the command devolved upon major Stoddard, whose whole force amounted only to about five hundred men. He immediately applied himself, with great activity, to completing the fortifications, information having been received that an attack was determined upon by general Proctor. On the 8th of April, a reinforcement of two hundred dragoons was received; and on the 12th, general Harrison arrived with about three hundred men. On his way, he had, contrary to the instructions of the secretary of war, written to governor Shelby for the balance of the Kentucky draft. Nothing but the critical situation of affairs could have authorized this step: and finding, subsequently, that no attack on the posts in his rear was contemplated by the Indians, he countermanded the order. Of the preceding detachment, which had been ordered to fort Meigs, only a battalion of colonel Boswell's regiment had arrived, previous to its investment. The remainder had proceeded as far as fort Defiance, on the 3d of May, where intelligence was received of the commencement of the siege.

Small parties of the enemy had been seen at various times, hovering round the camp: and, on the 28th of April, the whole force, composed of British and Indians, was discovered approaching, within a few miles of the fort, and as soon as their ordnance was landed, it was completely invested. The ground in its vicinity had been covered by a forest, which was cleared to a distance of about three hundred yards from the lines. From behind the stumps of the trees, however, which remained, the Indians kept up a severe fire, by which some execution was occasionally done. On the 1st of May, the British batteries being completed, a heavy cannonading commenced, which was continued till late at night. The intervening time had not been spent in idleness by the garrison under the direction of captain Wood. A grand traverse, twelve feet high, upon a base of twenty feet, and three hundred yards long, had been

* M'Affee's Hist. p. 255.

completed, which concealed and protected the whole army. The fire of the enemy, therefore, produced little effect, except the death of major Stoddard, of the regular army, an officer of great merit. Disappointed in his first plan of attack, colonel Proctor transferred his guns to the opposite side of the river, and opened a fire upon the centre and flanks of the camp. The cannonading of the enemy continued, for several days, incessant and powerful; that of the Americans, however, produced greater execution: but a scarcity of ammunition compelled them to economise their fire.

In the mean time, a reinforcement of twelve hundred Kentuckians, under general Clay, was descending the river, with the hope of being able to penetrate into the fort. As soon as general Harrison heard of their approach, he determined to make a sally against the enemy on his arrival; and sent an officer, with directions to general Clay, to land about eight hundred men, from his brigade, about a mile above the camp. They were then directed to storm the British batteries on the left bank, to spike the cannon, and cross to the fort. The remainder of the men were to land on the right side, and fight their way into the camp, through the Indians. During this operation, general Harrison intended to send a party from the fort, to destroy the batteries on the south side.*

In conformity with this direction, a body of men under colonel Dudley, were landed in good order, at the place of destination. They were divided into three columns, when within half a mile of the British batteries, which it was intended to surround. Unfortunately, no orders appear to have been given by the commanding officer,† and the utmost latitude was, in consequence, taken by the troops. The left column being in advance, rushed upon the batteries, and carried them without opposition, there being only a few artillerymen on the spot. Instead, however, of spiking the cannon, or destroying the carriages, the whole body either loitered in fatal security in the neighbourhood, or, with their colonel, were engaged in an irregular and imprudent contest with a small

* M'Afee's Hist. p. 265.

† Ibid. 269.

party of Indians. The orders and entreaties of general Harrison were in vain: and the consequences were such as might have been foreseen, had the commanding officer possessed the slightest portion of military knowledge. The fugitive artillerymen returned, with a reinforcement from the British camp, which was two miles below. A retreat was commenced, in disorder, by the Americans, most of whom were captured by the British or Indians, or were killed in the pursuit. Among the latter was colonel Dudley. About two hundred escaped into the fort: and thus this respectable body of men, who, if properly disciplined and commanded, might have defeated the operations of the enemy, became the victims of their own imprudence.*

The remainder of general Clay's command were not much more successful. Their landing was impeded by the Indians, whom they routed, and, with their characteristic impetuosity, pursued to too great a distance.† General Harrison perceiving a large force of the enemy advancing, sent to recall the victors from the pursuit. The retreat was, however, not effected without considerable loss, the Indians having rallied, and, in turn, pursued them for some distance.‡ The sortie, however, made by a detachment under colonel Miller, of the regulars, gained for those who participated in it, much more reputation. The party, consisting of about three hundred and fifty men, advanced to the British batteries with the most determined bravery, and succeeded in spiking the cannon, driving back their opponents, who were supposed to be double in number, and capturing forty prisoners. The enemy suffered severely; but rallied, and pressed upon the detachment, until it reached the breastwork. The attempt to raise the siege was thus defeated, from the imprudence and insubordination of the troops concerned, rather than from any original defect in the

* See a letter of General Harrison's to governor Shelby. M'Affee's Hist. p. 275-6.

† The "excessive ardour" of the Kentucky troops, said general Harrison, "is the source of all their misfortunes. They appear to think that valour alone can accomplish every thing." Ibid. p. 276.

‡ Ibid. p. 267.

plan. Many valuable lives were lost during the heat of the battle: and the cruelties perpetrated upon the prisoners, in presence of the officers of the British army,* are said to have been little inferior in atrocity to those of the bloody day of Frenchtown.

From this period until the 9th, little of importance occurred. The British commander, finding he could make no impression upon the fort with his batteries, and being deserted, in a great measure, by his Indian allies, who became weary of the length of the siege, resolved upon a retreat. After several days' preparation, his whole force was accordingly embarked on the 9th; and was soon out of sight of the garrison, with little molestation on their part.

The expedition, thus terminated, reflected little honour on the British arms. The preparations made, and the force brought into the field, were such as ought to have enabled their commander to capture the whole of the American army. The defeat of the detachment under colonel Dudley, which was the only trophy gained during the siege, ought to lose any importance, when it is considered that that body was only an assemblage of armed men, who, though brave and patriotic, were without control or discipline. The soldiers with whom the enemy had to contend, in the fort, were plainly a better disciplined and organized army, than those he had heretofore fought: and the same career of success was therefore not to be expected for the future. The British force, including regulars and militia, during the siege, was supposed to have been upwards of one thousand. Their Indian auxiliaries were not fewer in amount. Among them, the celebrated Tecumseh was particularly distinguished. The American garrison seldom exceeded twelve hundred, a very small portion of whom were regulars. Its loss, during the siege, with the exception of the unfortunate affair on the left bank, was not great. About two hundred and sixty were killed and wounded, principally in the sorties of the 5th.

* Colonel Wood's journal.—M'Affee's Hist. p. 271.

CHAPTER XLVIII.

Ontario frontier—Partisan warfare—Capture of Ogdensburg—of York—of fort George—Affair at Stoney Creek—of the Beaver Dams—Attack on Sackett's Harbour—Skirmishing—Cruise of Commodore Chauncey.

THE spring of the year 1813 had far advanced, before any events of national importance occurred on the northern frontier. The severity of the preceding winter, and the almost impassable state of the roads, consequent upon the breaking up of the ice, prevented any other operations than those of a partisan warfare. This period had not, however, been unemployed by the two belligerent powers. An exchange of the prisoners taken on either side, during the campaigns of 1812, had been negotiated, and arrangements for the restoration of those who might in future be placed in that situation, were adopted. The American army by these means regained many useful officers, as well as acquired a considerable addition to its numerical force. The latter was also augmented by the arrival of the recruits, who had been enlisted on the Atlantic frontier. Discipline, and the sense of subordination, which experience had shown to be so much wanting, were now assiduously enforced and inculcated by the commanding officers of the regular battalions; and the nation anxiously looked for the approaching campaign, as likely to disperse the clouds that had so long hung over its military reputation.

The partisan warfare, of which we have spoken, was principally conducted by major Forsyth, of the rifle regiment, a very valuable and enterprising officer. In the month of February, he resolved, in retaliation for an incursion of the enemy, to attempt a post, not far distant from Ogdensburg, where he commanded. Accordingly, with a party of riflemen, and some volunteers, he crossed the St. Lawrence; surprised a

guard at Elizabethtown ; captured fifty-two prisoners, including six officers, besides a large quantity of military stores ; and returned without the loss of a man. By way of revenge for this exploit, a large British force was assembled for an attack on Ogdensburg. Colonel Benedict, who commanded the militia of the vicinity, hastily called out his regiment, to the aid of major Forsyth, whose force was far inferior to that of the enemy. On the 21st of February, they attacked the town, in two columns, of six hundred men each ; and, after a sharp contest of an hour's duration, succeeded in driving the American troops out of it, with the loss, on the part of the latter, of about twenty killed and wounded : that of the enemy was supposed to be far greater, from the known skill of the riflemen. After sacking the place, they retired on the same day, carrying with them some valuable articles.

A concentration of a large portion of the regular army, with a view to some important operation, was effected about the middle of April, at Sackett's Harbour. This post, which acquired so much celebrity during the war, and which, in the course of a few months, emerged from the quiet and gloom of a forest, to become the scene of the bustle and hostility of civilized man, is situated at the east end of lake Ontario, about sixteen miles from the St. Lawrence. From its position, it had been found peculiarly adapted for a military depot, as well as for the purposes of commerce, and the protection of armed vessels. The squadron, which cruised on the lake, was accordingly prepared here ; and at this period was assembled for the conveyance of the troops to the Canada shore, as soon as the ice would admit of naval operations.

The land forces were under the immediate command of major-general Dearborn, who now determined to make an attack, in the first instance, upon the town of York, the capital of Upper Canada, and a place of great importance to the enemy. The navigation of the lake being ascertained to be unimpeded by ice, the troops destined for the expedition, to the number of about seventeen hundred, embarked on board the squadron, and left Sackett's Harbour on the 25th of April. On the 27th, they arrived off their place of destination, and at

eight in the morning, the landing was commenced, at a spot distant about a mile and a half from the enemy's works. In consequence of the state of the wind, the troops were not able to debark at the place originally intended; and the enemy was enabled to collect, at the point where the landing took place, his whole force, which consisted of seven hundred regulars and militia, and one hundred Indians. Major Forsyth, with his riflemen, were the first to gain the shore; and, after a severe contest for nearly half an hour, succeeded in repulsing the enemy, with a very inferior force. General Pike now landed; and, pushing on with a small party, drove the enemy before him, who rallied, however, and returned to the attack; but were again repulsed, and retreated to their works. The whole body was by this time formed on the shore, and arranged in the order contemplated for the attack. Led by their gallant commander, the column pressed forward with the utmost regularity; and, after receiving a heavy fire from one of the enemy's batteries, which they carried by assault, were moving towards the main works, when a sudden and tremendous explosion took place from the enemy's magazine, which hurled upon the advancing troops immense masses of stone and timber; and, for a short time, checked their progress, by the havoc it made in their ranks. Numbers were immediately killed or disabled by the contusions: among the latter was their deservedly lamented commander, general Pike, who survived but a few hours. The direction of the troops then devolved upon the senior officer, colonel Pearce, general Dearborn having remained on board one of the vessels of the squadron. The enemy's regular troops had now retreated, leaving the defence of the place to the militia. At five o'clock, the Americans took possession of the town, having arranged articles of capitulation with the commanding officer. The land and naval forces of all descriptions were surrendered prisoners of war, and all public stores given up. Private property was guaranteed, and scrupulously respected. A large vessel of war, which was building, and nearly finished, was set on fire by the enemy, previous to their retreat. The prisoners taken amounted to forty officers, and two hundred and fifty-one non-commis-

sioned officers and privates, the greater part of whom were militia. The loss of the enemy was estimated by general Dearborn at one hundred killed, and three hundred wounded, independent of prisoners.

The American troops in general behaved with the coolness and bravery of veterans. Many of the officers were particularly distinguished, and several experienced the same melancholy fate with their general. The total loss of the American army, in killed and wounded, amounted to three hundred and twenty men, of whom thirty-eight were killed, and two hundred and twenty-two wounded, by the explosion of the magazine.

The loss of no individual officer could have been more severely felt than that of brigadier-general Pike. Possessing from nature a quick and ardent genius, and an uncommon devotion to military pursuits, the eagerness with which he sought reputation, and courted danger in every form, gave his character a romantic and original cast. The son of a soldier of the revolution, he had, from his childhood, been familiar with the privations and difficulties of a camp. His physical constitution became thus inured to hardship, and his genius disdained not to make itself master of the most petty details of military discipline. Previous to the war, in the support of which he fell, he had distinguished himself by undertaking an expedition of discovery, by direction of the government, through the remote western country. His thirst for knowledge, his daring and intrepid spirit, and his patient endurance or contempt of labour, acquired him, on that expedition, a high military character. At the commencement of the war, he held the commission of colonel in the army. His regiment, the 16th, to the instruction of which he had personally attended, was remarkable for its discipline and valour; and his regulations, although severe, did not deprive him of the affections of his men. His popularity was great, both in the camp and among his fellow-citizens; and his loss, at the moment it occurred, was perhaps of more serious injury to the prospects of the country, than that of hundreds of ordinary men. The love of honour and of his country, which appeared to be his ruling passion, illuminated his last moments, as they had adorned his

meridian career. When he received the fatal wound which terminated his existence, he bade the soldiers, who were gathering around him, to move forward, and avenge their general. From the spot on which he fell, he was conveyed on board one of the vessels of the squadron. In his dying moments, the flag of the enemy was brought to him: a smile of triumph brightened his countenance: he made signs to have it placed under his head, and in that situation expired—a death the most honourable that a soldier could desire.

Of the cause of the explosion by which so many gallant men were destroyed, great doubt has existed. It was attributed by the British commander to accident; and the loss of part of his own troops, to the number of about forty, by the same means, appears to corroborate the assertion. But, on the other hand, it has been strenuously contended, that the destruction was premeditated by the enemy, whose intention to involve the whole American army in the same fate, was frustrated by the caution of their general. To a charge like this, of a proceeding so inconsistent with the principles of civilized hostility, the mind would hesitate to give belief, had not the previous conduct of the enemy been marked by an equal disregard for those rules. Posterity will scarcely credit a fact, which is nevertheless stated upon the most conclusive authority,* that a human scalp was found suspended over the speaker's chair, in the house appropriated to the sittings of the legislature of Upper Canada. The mind involuntarily recoils from the idea, that a custom so barbarous, and so repugnant to the feelings of humanity, could be sanctioned by the countrymen of Howard and Wilberforce. The British nation, however, though fruitful of great and honourable men, has not been less prolific of those who have stained by their cruelties the character of our species; as the histories of Ireland and of India, as well as of America, bear a signal testimony.

Having in a great measure attained the objects of the expedition, the American army re-embarked, on the 5th of May,

* Commodore Chauncey's and general Dearborn's official letters.

having manifested, during their stay, the most scrupulous regard for the rights of private property. On the 8th, the troops were landed at a creek, distant four miles from Niagara. On the succeeding day, a party of about one hundred men, under captain Morgan, of the 12th, succeeded in destroying some of the enemy's stores, at the head of the lake. On the 10th, the squadron sailed for Sackett's Harbour, conveying there the wounded officers and men; and, on the 24th, returned with a reinforcement of three hundred and fifty of the regiment of artillery, with some pieces of ordnance.

The capture of fort George being the next object in view, the troops, to the number of about four thousand, under generals Dearborn and Lewis, were embarked on board the vessels for that purpose. The squadron anchored within musket-shot of the shore; and a heavy fire commenced, by which the enemy's batteries were silenced in ten minutes. The troops proceeded to the beach in three brigades, the advance being commanded by colonel Scott, who landed under a heavy fire from the British forces. The first, second, and third brigades having reached the shore in their order, the enemy soon gave way, and retreated with precipitation to the fort, which, however, having become untenable, from the fire of the American batteries, they abandoned it, on the approach of the advance of general Boyd's brigade, and dispersed in various directions. Previously to the retreat, they attempted to set fire to the magazines, but were frustrated by the energy and skill of the American officers. They were pursued several miles by the light troops; but, in consequence of the severe fatigue of the latter, they were recalled. The conduct of the American force was such as to obtain for it the highest encomiums. General Boyd, colonels Scott and Porter, major Armistead, and lieutenant Totten, were particularly noticed in the official report. The army had, indeed, manifestly improved in discipline, the only qualification wanting to place them on a perfect equality with their enemy.

The loss of the British was much greater than that of the Americans. One hundred and eight of the former were killed, and one hundred and sixty wounded, who, together with one

hundred and fifteen regulars, and five hundred militia, became prisoners. The latter had thirty-nine killed and one hundred and ten wounded; lieutenant Hobart, of the first brigade, was the only officer killed.

After this engagement, the British force, under general Vincent, retired to a spot called the Beaver Dams, where it was joined by a reinforcement from fort Erie and Chippewa. General Winder was therefore despatched with his brigade from fort George, on the 1st day of June, for the purpose of cutting off the retreat of this body. Finding that the enemy had been reinforced, and that his troops, now amounting to about fifteen hundred men, had taken a position on the heights, at the head of Burlington bay, general Chandler was sent forward with his brigade: and, the two detachments being united, the latter, as senior officer, took the command. On the 5th, the detachment advanced to Stoney creek, in the vicinity of the British force, and then encamped on its bank. The usual precautions, in the positions of the different corps, and of the artillery, appear to have been taken. An advanced guard, of about eighty men, was posted in a wooden house, about a quarter of a mile in front. A strong detachment occupied a hill on the left, which commanded a road running through the centre of the camp. In this position, the enemy, whose situation had become precarious, determined upon a night attack, as the only means of saving his army. The scheme was well conceived, and in a great measure succeeded. At two o'clock in the morning of the 6th, the attack was made by a column of about seven hundred regulars, after having bayoneted the sentinels in advance, and passed by the guard in front without notice. The 25th regiment had occupied the ground on the opposite side of the creek, for the purpose of cooking; but, leaving their fires burning, had withdrawn to the encampment about midnight, and lay upon their arms. Towards these fires the enemy advanced, raising a shout, in the belief that the American troops were behind them. This outcry fortunately roused the camp, and the 25th regiment commenced a fire upon the column, which was now discerned by the light of the fires on the opposite bank. The American line was soon

formed : but, in a short time, the firing on the part of the British ceased : and such was the darkness of the night, that it was impossible to ascertain in what direction they had moved. Profiting by this obscurity, the enemy moved silently along the road, until they arrived at the spot where the artillery was stationed, upon which they immediately made a charge, and drove the artillerymen from their cannon. In this situation they were found by general Chandler, who, advancing to the centre, to give orders, was immediately taken prisoner.

The same fate unfortunately attended general Winder. Having discovered some confusion in the centre, he hastened forward to ascertain the cause : and, in a few moments, found himself in the hands of the enemy. Satisfied with the capture of these officers, and part of the artillery, they now retreated in haste, and when the day dawned, were out of sight. Although they partially succeeded in surprising the American camp, the consequences, had they been properly pursued, would have been highly disastrous to them. The capture of the two commanders, and of four pieces of cannon, gave the affair the appearance of a victory, which was enhanced by the retreat of the American army on the next day, ten miles from the field of battle. The enemy, however, suffered severely from the fire of the artillery, in the latter part of the engagement, and lost one hundred prisoners, chiefly of the 49th regiment. Of the Americans, one hundred and fifty-four were killed, wounded, or taken prisoners.

On the 7th, the detachment, which had fallen back to the Forty-mile-creek, was joined by a reinforcement of the 6th and 15th regiments, under colonel Miller : and the command was now taken by major-general Lewis. On the succeeding day, the British squadron, under sir James Yeo, appeared opposite to the encampment, which had its right flank on the lake, and anchored within a mile of the shore. He attempted to burn the boats, by which the baggage of the army was transported ; but was received so warmly, by a battery constructed by captains Archer and Towson, that he at length desisted. A party of Indians now appeared on the left of the camp, and were soon dislodged by a detachment of the 13th regiment.

Sir James Yeo, finding that he could make no impression upon the camp by this display, sent in a flag, demanding the surrender of the army. No reply was deemed necessary: and, in consequence of orders from general Dearborn, the army began its retreat to fort George. The baggage and camp equipage were placed in the boats, twelve of which, unfortunately, were taken by an armed vessel of the enemy. The march of the army was harassed by the hostile Indians, until its arrival within a short distance of fort George.

Soon after this event, a body of the enemy having been collected at the Beaver Dams, about eight miles from Queenstown, and seventeen from fort George, lieutenant-colonel Børstler was detached with about five hundred men, with directions to attack and disperse them. He had proceeded about nine miles west of Queenstown, when he was assailed from the adjoining woods by a large party of Indians. The infantry succeeded in dispersing them; but they only retired to make the attack in another quarter. In the mean time, a reinforcement of British regulars had arrived, and the detachment was compelled to retreat until they had gained an open ground. Here, colonel Børstler determined to make a stand, and despatched an express for a reinforcement. The enemy, however, continued to press on in considerable numbers. The Americans were formed in close column, for the purpose of forcing their way, and continued the action until the ammunition of the artillery had been expended. In this situation, the enemy demanded their surrender: and colonel Børstler, finding himself surrounded by Indians, regulars and militia, resolved, on consultation with his officers, to capitulate. The troops were surrendered prisoners of war: and the humiliating condition of laying down their arms at the head of the British column was prescribed. Much ill-treatment was experienced from the Indians, by the unfortunate prisoners. Contrary to the articles of capitulation, the officers were plundered of their side arms, and the soldiers, of many of the most necessary articles of clothing. The loss sustained during the action is not known.

It does not appear, from the statements made in the official letter of general Dearborn, that the force of the enemy was such as to justify the course pursued by the American officer. It is estimated, by the former, that the number of Indians, regulars, and militia, did not amount to three hundred and fifty, while the American force exceeded them by two hundred men. A retreat, at all events, seems to have been practicable, at an early period of the engagement, and the degrading step of a capitulation, which ought never to be resorted to but in the plainest cases of necessity, might perhaps have been avoided.

These unfortunate events greatly contributed to damp the expectations of the American people, and to render them dissatisfied with the conduct of those by whom these operations were directed. The capture of York and fort George, though brilliantly executed, had not been productive of those useful consequences, which the force under general Dearborn appeared sufficient to attain. Shortly after the last event, this officer was directed to withdraw from the command of the northern army, until his health should be restored. General Boyd being the next officer, (major-general Lewis having proceeded to Sackett's Harbour,) the command of fort George devolved upon him.

From this period, little of importance occurred in the vicinity of fort George. The British troops, having been considerably reinforced, and placed under the command of major-general De Rottenburgh, invested the camp, without making any regular attack upon it. Several affairs of out-posts occurred, in which skilful manœuvring, as well as individual bravery, were displayed. The American commander, finding that the British army still continued to employ the hostile Indians, at length determined to retaliate, by accepting the services of a number of that race, who were friendly to the United States. About four hundred warriors, principally of the Seneca nation, were accordingly received under his command, with an express covenant, that their treatment of the enemy should be similar to that pursued by the Americans. From this system

of humanity, they do not appear to have ever deviated, a proof that their attachment to a sanguinary system of warfare may be restrained, where the disposition to do so exists. They were found of great service to the American army, on various occasions, in which they were opposed to the Indians in the service of the enemy. On the 11th of July, a British force of about two hundred and fifty men, under colonel Bishop, crossed the Niagara, and made a sudden attack upon the American post at Black Rock, driving before them the militia by whom it was garrisoned. They succeeded in setting fire to the barracks and other buildings; and, after spiking the cannon, carried off a quantity of provisions. On their retreat, however, they were assailed by the American troops, who poured a heavy fire upon them, by which their commander was mortally wounded, and a considerable loss otherwise sustained. In return for this exploit, a second attack was made upon the town of York, on the 28th of July. Colonel Scott, with about three hundred men, landed from commodore Chauncey's squadron on that day, and having destroyed all the public stores and property, and released a number of American prisoners, returned without loss.

While the greater part of the American army was thus occupied on the Canada frontier, the opportunity was seized by the enemy to make an attack upon the important post of Sackett's Harbour. At the departure of general Dearborn for York, he gave the command to brigadier-general Brown, of the New York militia, although his term of service had expired. On the 27th of May, the enemy's squadron was discovered by lieutenant Chauncey; and notice being given at Sackett's Harbour, alarm guns were fired, for the purpose of bringing in the militia of the vicinity. By these and other means, a force of about one thousand men was collected, consisting of regulars, seamen, volunteers and militia, the latter composing one-half of the amount. With this body, general Brown made all the arrangements for defence which the shortness of the time would allow. The militia and volunteers, under colonel Mills, were posted behind a breast-work, hastily thrown up on a peninsula, at which it was supposed the enemy would land.

The regulars, under colonel Backus, formed a second line ; and lieutenant Chauncey, with some seamen, was stationed at the Navy Point, with directions to destroy the buildings and stores, in case of the defeat of these troops. On the morning of the 29th, the enemy landed his whole force, which consisted of one thousand picked men, under Sir George Prevost, after a heavy fire from the battery on the peninsula, which occasioned some loss. This fire was, however, all the defence that the militia attempted. As soon as the enemy began to approach, they were seized by one of those panics to which all raw troops are subject, and fled, in haste and confusion. Colonel Mills, their commander, in vain endeavoured to rally them : in the attempt, he was mortally wounded. The enemy, having thus easily surmounted the first opposition, advanced towards the village, though checked for a time by a bold attack from a small party under major Aspinwall, who were, however, soon compelled to retreat. About one hundred of the militia, rallied by general Brown, annoyed the enemy's left flanks : and the regulars, under colonel Backus, having also engaged him, a sharp conflict ensued. The Americans were at length compelled, by the force of numbers, to retire. In their retreat, they took possession of the houses in the vicinity, and poured upon the British column so destructive a fire, that it was found expedient to fall back. Perceiving the hesitation on the part of the enemy, general Brown had recourse to a stratagem, which soon converted the retreat into a precipitate flight. Collecting together a number of the militia who had so ingloriously fled, he formed and marched them silently through a wood, in the direction of the enemy's rear, but so as to be observed by him. Imagining that his retreat would be cut off, the latter re-embarked so rapidly, as to leave most of his wounded, and some prisoners, behind. In his flight, he was not molested by the American troops.

In this affair, the nature of the ground, and other circumstances, operated strongly against the invaders. The country, in the immediate vicinity of Sackett's Harbour, is covered with trees, which afforded all the advantages that could be desired by the American marksmen : behind them many were posted with

very signal effect, who yet, from their undisciplined state, as we have seen, could not be brought to stand an encounter with the veteran troops of the enemy. The British regulars, on the contrary, found little room for the manœuvres to which they had been trained, and to which only disciplined soldiers are in general adapted. Their loss was, however, not so great as might have been expected. Three field-officers, one captain, and twenty-five privates, were killed; two captains and twenty soldiers were found wounded; and three officers and thirty-two soldiers were taken prisoners. Of the Americans, the loss was much greater; one hundred and fifty-six in all being killed, wounded, and missing.

An unfortunate mistake caused the destruction of a part of the barracks and stores, under the charge of lieutenant Chauncey. A false report having reached that officer, of the defeat of the Americans, he conceived it necessary to comply with the orders he had received, to prevent the stores from falling into the hands of the enemy. He was, however, no sooner apprized of the incorrectness of the information, than he spared no exertions to extinguish the conflagration, and his efforts were finally successful, though not until considerable damage had been done.

The capture of Sackett's Harbour, had the enemy succeeded in effecting that object, would have been productive of the most disastrous consequences to the republic. Being the most convenient place of deposit, great quantities of military stores had been accumulated there, as well as the materials for the increase of the navy upon the lake. A new frigate was at the moment upon the stocks, besides several others in the harbour. Had these fallen into the hands of the enemy, his naval superiority would have been firmly established, and any further attempts of the American troops upon Canada for a time impeded. No event, therefore, of the campaign, was of more manifest advantage than the repulse of the British troops on this expedition; and the able dispositions, as well as patriotic zeal of general Brown, acquired him deserved credit. In recompense for his exertions on this occasion, he was shortly afterwards appointed a brigadier in the regular army.

A contest for maritime superiority was now to take place on lake Ontario, between two officers, equally distinguished for their bravery and skill in naval tactics. The British fleet, inferior in the number of guns, although superior in the quality of sailing, was commanded by sir James Yeo, an officer who had distinguished himself on former occasions. The addition of the frigate General Pike, which was launched soon after the repulse of the enemy from Sackett's Harbour, would have rendered the squadron of commodore Chauncey completely master of the lake, had not the skilful manœuvres of his antagonist enabled him to avoid a general action. The efforts of each party to gain a decided superiority of force, were met by a corresponding increase of vessels on the other side; and the contest was prolonged, with alternate success, until a late period of the war. On the 7th of August, the British squadron was discovered by commodore Chauncey, distant about five miles. The enemy being to windward, many attempts were made to gain this advantage; and, finding that they partially succeeded, the British commodore made sail and stood away, pursued by the American squadron. Night coming on, a heavy gale ensued, in which two of the schooners of the latter foundered, and all on board, with the exception of sixteen persons, perished. The loss of these vessels giving sir James a superiority of force, it was expected that a general engagement would ensue. The enemy accordingly made an attempt to cut off two of commodore Chauncey's smaller vessels, and, apprehensive of separating from them, he ran into Niagara. Having received from this place a reinforcement of one hundred and fifty marines, he again sailed, and falling in with his opponents, a contest of manœuvring ensued, which ended in the partial separation of the American squadron, and the capture of two of the smaller vessels, the Growler and the Julia. Every attempt that skill could suggest had been made by commodore Chauncey, to bring on a general combat, and prevent the loss of the two vessels. The superior sailing and equal skill of the enemy enabled him to avoid the one, and to take secure possession of the other. Finding that his endeavours were unsuccessful, commodore Chauncey returned, soon after, to Sackett's Harbour, to refit his squadron.

Lake Champlain, destined to become celebrated for the events which took place, during the succeeding year, on its bosom and shores, was at this period the theatre of petty and marauding hostilities. The only armed vessels possessed by the United States on this lake, were the schooners Growler and Eagle, and a few barges and gun-boats. The former were captured at the commencement of July, after a sharp contest, by a superior force of the enemy's gun-boats, manned by a part of the garrison of Isle aux Noix. Obtaining by this means the ascendancy upon the lake, the enemy availed himself of his superiority, to carry on a marauding warfare on its shores, which, as it was in many instances conducted with great disregard to the rights of private property, served only to add the feeling of individual animosity to that of national hostility.

CHAPTER XLIX.

War on the coast and on the ocean—Marauding expeditions of the British squadron—Attack on Craney Island—on Hampton—Capture of the Peacock—of the Chesapeake—of the Argus—of the Boxer—Cruise of commodore Rodgers—Engagements of privateers—Blockade of the squadron under commodore Decatur.

THE commercial advantages of the republic are not without that portion of inconvenience which is incident to all human situations. The great navigable rivers by which its coast is intersected, while they offer every facility for maritime enterprise, are equally adapted to favour the incursions of an enemy. Over their ample bosom, vessels of the largest size are enabled to penetrate a considerable distance into the interior, to destroy, in a great measure, the commerce, and to devastate the maritime towns of the Union. The facility, too, with which squadrons may remove from one extremity of the frontier to another, renders it a matter of the utmost difficulty to be prepared, at all points, for defence; and, from the inability of the regular troops to protect so extensive a line, recourse must necessarily be had to the militia of the vicinity. By thus subtracting from the productive labour of the country, and harassing its citizens, it is in the power of an enemy, possessing a naval superiority, to visit upon the maritime frontier a double portion of the evils of war.

The British government was not slow in availing itself of the advantages which its numerous vessels thus gave it. On the 26th of December, 1812, an order in council declared the bays of the Chesapeake and Delaware in a state of blockade; and a subsequent order, issued on the 20th of March, extended the blockade as far north as the ports of Rhode Island. The notice of the blockade of the Chesapeake was speedily followed by the arrival of a squadron, to carry it into effect.

On the 4th of February, two ships of seventy-four guns, three frigates, a brig, and a schooner, were first perceived in that bay. They were commanded by admiral Cockburn, an officer who will be long remembered in the United States, as the wanton destroyer of unoffending villages, and the cause of misery and ruin to many peaceable individuals. Had it been the avowed object of the British government, to implant in the minds of the American people a deeply-fixed animosity towards their country, no means could have been chosen more adapted to the end, than the predatory incursions on the Chesapeake; and no more fit instrument could have been discovered than the commanding officer of this squadron. His disposition appeared to be suited to enterprises of the most lawless description; and it is creditable to his consistency, that nothing but the fear of an encounter with an American army could induce him to abstain from the destruction of private dwellings, or the plunder of churches. The events which followed the arrival of this squadron in the Chesapeake bay, it is difficult for the historian to detail, without a sacrifice of historical dignity, or a concealment of truth. The inglorious and marauding warfare which the British admiral carried on, during the early part of his career, can no more be treated of without contempt, than the relation of the subsequent enormities at Hampton can be given without sensations of indignation and horror. The best feelings of human nature forbid the recital of wanton cruelties, without an expression of abhorrence and disgust: and, although every allowance should be made for the influence of a spirit of hostility, and the exaggerations of party spirit, enough remains, as we shall see, to satisfy the mind that the conduct of the British squadron, on the coast of the United States, was in many cases marked by flagrant violations of the most imperious rules of civilized warfare.

Cotemporaneously with the blockade of the Chesapeake, a squadron of British vessels, consisting of the *Poictiers* of seventy-four guns, the *Belvidera* frigate, and some smaller vessels, entered the bay of Delaware. Nothing of importance was undertaken by these ships for some weeks; their exploits being confined to the capture and burning of the smaller ves-

sels which navigated that bay. On the 16th of March, however, a demand of provisions, with an offer of payment, was made by the British commodore, upon the inhabitants of Lewistown, a village in the state of Delaware. A refusal being immediately returned, the destruction of the town was threatened, as the alternative. The inhabitants still refusing to comply with the request, a bombardment of the place was commenced on the 10th of April, from a number of launches and sloops, supported by the Belvidera. The fire was returned from an eighteen pounder, placed on a battery hastily thrown up: and the cannonading continued for twenty-four hours, without the loss of a man, on the part of the Americans, or any injury being done to the town. Many attempts to land were made, after this period, by the boats of the squadron, for the purpose of obtaining water, without success, the militia being in general assembled in sufficient force to repulse the assailants. The squadron soon after left the bay: but its place was supplied by the arrival of several frigates, and the Martin sloop of war. The latter having grounded in the chase of a small vessel, an attempt was made, on the 29th of July, to destroy her by a flotilla, consisting of eight gun-boats and two block vessels. Having taken a favourable position, they opened a heavy fire upon her with evident effect, until the Junon frigate coming to her assistance, the launches and boats of the enemy were manned; and, after a severe resistance, succeeded in capturing one of the gun-boats. They soon after made sail, the Martin being extricated from her situation, and nothing further, of interest, occurred in this quarter, during the remainder of the season.

The squadron in the Chesapeake, however, displayed much more activity, in the species of warfare it was thought proper to pursue. On its first arrival, it was supposed that an attack would be made on the city of Norfolk, in Virginia. The militia of the vicinity were accordingly assembled in considerable force: and the frigate Constellation, which had proceeded down the bay, with the intention of going to sea, was brought up to the town, and anchored under the protection of its forts. No attempt was, however, made upon the place, at this time,

the operations of the squadron being, for some period, confined to the capture of small vessels, and the plunder of the country seats and farm houses on the shores of the bay and its dependent rivers. Few of these places of residence, which happened to be unprotected, were spared from the lowest species of vulgar outrage; and, in many instances, the slaves residing upon the estates were liberated, and armed against their masters. Frequently, however, the assailants were repulsed by the union of a few of the neighbouring citizens, hastily collected together. To facilitate these incursions, possession was taken by the enemy of several islands in the bay, upon which they established posts.

From the pillage of farm houses, the transition was easy to the plunder and conflagration of villages. The first object which excited the attention of the squadron, was the small, but flourishing village of Frenchtown. This appellation is doomed to be doubly celebrated, in the annals of Britain and America. Like its namesake of the west, this town became the scene of outrages, which will forever remain as a stain upon the British escutcheon. Being situated at a convenient point of the communication between the two cities of Philadelphia and Baltimore, it became a place of deposit for merchandise and other valuable articles of private property. It was also undefended, except by a small body of militia. These reasons appear to have induced admiral Cockburn to assail it. Accordingly, on the 29th of April, he landed with five hundred marines, and after driving before him the few militia, who were assembled, he proceeded to the destruction of the unfortunate village. The store houses, in which a large quantity of merchandise, of great value, was deposited, were committed to the flames. Several private dwellings, and two small vessels lying at the wharf, shared the same fate. Among the articles destroyed was a drop curtain, belonging to the theatres of Philadelphia and Baltimore. After witnessing the destruction of the principal part of the town, the British admiral hastily retired with his command, on the report of the approach of a body of militia.

On the 3d of May, the town of Havre de Grace, situated on the west side of the river Susquehanna, and containing about thirty houses, experienced a similar fate. The inhabitants, having had reason to believe an attack was meditated, made some hasty arrangements for defence, by throwing up a battery, upon which two six pounders, and one of nine, had been mounted. The attack being made before dawn, the battery was unguarded, and the citizens in their dwellings. The approach of the enemy being announced by the fire of one of his cannon, they were roused; and a few of the most courageous ventured to the battery. The latter, however, with the greater part of the militia, abandoned the place as the enemy advanced; and he entered the town with little molestation. The scene of unmanly spoliation that followed, it is difficult to describe with moderation. The private dwellings of the citizens were made the subjects of the most outrageous rapine. Nothing appeared too valuable, nothing too insignificant, to escape the rapacity or resentment of the victors. Furniture, clothing, and even the houses themselves, were involved in the same general destruction. Nor was the injury confined to the town itself. Parties scoured the country in all directions, plundering the farm houses, and injuring, with a most wanton cruelty, whatever tempted them. Even the church, in which the rites of a similar religion to that of the depredators were performed, was not exempt from violence. For a long time it bore the vestiges of a sacrilegious assault and plunder, by the troops of a nation, whose religion and morality have been pre-eminently extolled. After having satisfied themselves with this work of plunder and destruction, the detachment re-embarked on the 6th, and returned to the fleet.

The attention of the British admiral was next turned to two flourishing villages in the vicinity of the Chesapeake. These were Fredericktown and Georgetown, both situated on the river Sassafras, nearly opposite to each other. On the same day on which he had left the ruins of Havre de Grace, the barges of the squadron, manned with six hundred men, ascended the river, and, after repulsing a small body of militia,

entered Fredericktown. Here, having secured whatever was deemed worthy of being removed, they set fire to the village, crossed the river, and inflicted a similar fate on the opposite town.

The squadron in the Chesapeake was, soon after these events, powerfully reinforced by the arrival of sir John Borlase Warren, as commander-in-chief, with a large body of troops, under sir Sidney Beckwith. The naval armament was now composed of seven ships of the line, twelve frigates, and a proportionate number of smaller vessels. The land forces consisted of about four thousand men, and were composed, in a great measure, of deserters from the French armies in Spain, who had been formed into regular bodies by their new employers. Having been accustomed, by long habit, to a system of licentious rapine and devastation, arising from the nature of the warfare in which they had been engaged, they were well adapted to the savage scenes in which, as we shall see, they became the willing actors. The presence of so considerable a force excited, as may be supposed, no small portion of anxiety in the minds of the inhabitants of the chief towns on the Chesapeake. The cities of Baltimore, Annapolis, and Norfolk, were alternately supposed to be the objects of the meditated attack. It was soon discovered, however, that the latter place was to be the first assailed. Preparations were accordingly made, with great energy, to receive the invaders. Nearly ten thousand militia, from the adjacent country, were assembled in the vicinity of the town; the defences of the posts on the continent and islands were improved; and the frigate *Constellation* was moored between the two forts which command the passage of the Elizabeth river.

On the 20th of June, thirteen sail of large vessels entered Hampton roads, and dropped to the mouth of James river. The first obstruction to the enemy's advance was Craney island, situated at the mouth of the Elizabeth river. In the expectation of an attack, captain Tarbell, who commanded the American flotilla, had given orders to lieutenant Neal, and others, of the frigate *Constellation*, to land with one hundred seamen, for the purpose of occupying a battery on the north-

west side. The gun-boats were stationed so as to impede his approach on the opposite quarter. On the morning of the 22d, the British barges were seen advancing toward the island, from round the point of Nansemond river. The landing was attempted at a spot out of the reach of the fire from the gun-boats, but exposed to a heavy cannonading from the battery. This breast-work contained an eighteen-pounder, and about one hundred and fifty men: and their fire was directed with such precision, that many of the barges were cut in pieces, and sunk; and the remainder were compelled to seek safety in flight. Numbers of the enemy, who were precipitated into the water by the destruction of their boats, were saved by the exertions of lieutenant Neal and his men.

The island is divided from the main shore, by a narrow inlet to the west. While the attack had been made from the barges, a large body of the enemy landed on the continent, and attempted to pass to the island through this inlet, with no better success than in the preceding instance. A body of about four hundred Americans, under major Beatty, with two twenty-four pounders and two sixes, had been stationed to guard the passage. The fire of their cannon was opened upon the enemy before they had all crossed; and with such effect, that, after an ineffectual attempt to make good their position, they were compelled to retreat, with great loss; and the remains of the detachment soon afterwards rejoined the squadron, leaving behind them upwards of two hundred in killed, wounded, and missing. The city of Norfolk was thus preserved, for the time, from pillage and destruction, by the determined bravery of the small force which defended Craney island. The conduct of the officers and men of the militia, and of the navy, was spoken of in terms of equal approbation, and evinced to the British commanders, that the dexterity of their enemy in the art of firing, made considerable amends for their want of skill in the manœuvres of regular troops.

Irritated by their repulse from a place of which they expected to become masters with little or no opposition, the British commanders resolved upon an attempt on the town of Hampton, distant about eighteen miles from Norfolk. They hoped,

by this means, to cut off the communication between the latter place and the upper country, by which any future enterprise against it would, it was supposed, be facilitated. This village, upon which the severities of warfare were about to be visited in a degree to which it is not easy to find a parallel in modern history, was then garrisoned by about four hundred men, with four twelve-pounders and three sixes, under the command of major Crutchfield. On the 25th, a combined attack from the land and naval forces was made. A bombardment commenced upon the town from the barges and tenders, led by admiral Cockburn, while sir Sidney Beckwith, at the head of about two thousand men, landed several miles below. The fire from the barges was returned with so much spirit and effect, by major Crutchfield, from his twelve-pounders, that the enemy drew off, and sheltered himself behind a point of land, from which he continued to throw rockets, without any injury to the town. Sir Sidney Beckwith, indeed, proved more successful with the land forces. His march was severely annoyed by a rifle company, posted in a wood, near which the road to Hampton passed: but sir Sidney having cleared this obstruction, major Crutchfield, who feared that his retreat would be cut off, if the seamen succeeded in effecting a landing, determined to make an attack upon the enemy's column, with his small force. He was received, however, so warmly, from their overwhelming superiority, that he was compelled to draw off his troops; and effected his retreat with considerable difficulty. Captain Pryor, who had been left in command of a battery thrown up to prevent the landing of the marines, finding that he was almost surrounded, made a desperate attempt, by charging with his small party upon the enemy, and, with an uncommon degree of bravery, cut his way through them, and effected his escape. The enemy soon afterwards entered the town, having lost about fifty in killed and wounded. Of the Americans, seven were killed, and twelve wounded.

The scenes which followed the occupation of Hampton by the British troops, were of so revolting and inhuman a nature, as to forbid us from entering into their detail. It is sufficient to say, that all the excesses that have sometimes followed the

hazardous assault of a fortified town, surrendered at discretion, were experienced by the unfortunate inhabitants of this peaceful and unoffending village. Neither age nor sex was spared by the indiscriminate brutality of the victors. Satiated with the ordinary scenes of pillage and destruction, they took a bolder flight of crime, and surpassed in enormity the outrages which we have been too often compelled to relate. Helplessness and infirmity were with them no protection from the worst species of violence. Female chastity, the most lovely of the attributes of that interesting part of our species, which even the savages of Frenchtown had spared, was violated under circumstances of the grossest indignity; and the sick and wounded were denied even the little sustenance which their situation required. Humanity would fain draw a veil over these transactions, and consign to oblivion the actors and spectators: but to hold up to the reprobation of mankind those by whom the character of the species is degraded, is a duty which it would ill become the historian to neglect.

The outrages committed on this occasion were of so unusual and enormous a nature, that we should have hesitated to give credit to them, had they not been established by evidence of the most conclusive nature. In a correspondence which took place on the subject, between general Taylor, commanding the American forces at Norfolk, and sir Sidney Beckwith, the facts were represented to the latter, and in a great degree admitted. They were attempted to be palliated, however, on the ground of the licentious character of the troops employed; and it was stated, that, during the attack on Craney island, the Americans had fired upon and wounded several of the British sailors, who were clinging to the wreck of a boat. The futility of the first plea, which the British commander thought proper to use, is too obvious to require proof. The use of such auxiliaries, whose disposition for scenes of plunder and havoc was well known previous to their employment, was equally indefensible with that of the savages of the west. The British government was responsible for the violation of the laws of civilized war by either of these troops. The last ground of defence was found not less untenable than the first.

A court of inquiry was immediately convened by the American commander, the decision of which was communicated to sir Sidney. It was found by that body, that the charge alleged against the American troops was unsupported; and that their character for humanity had not been impaired. To this communication, a concise answer was returned, stating it to be the wish of the British general, that the future military operations should be carried on consistently with the established usages of war. He had previously, however, given an assurance that these troops should not be landed again, and that he would either send them away or wait the arrival of others for new operations.

The promise thus given seems to have been adhered to with fidelity. No further operations took place in the Chesapeake during this season. The greater part of the vessels remained indeed within its waters, and, by threatening the chief cities, kept the militia on a constant and harassing duty. Admiral Cockburn, however, whose genius seemed to be peculiarly adapted to the pursuit, was despatched with a considerable squadron to the shores of North Carolina. Arriving off Ocracock, in the beginning of July, he attacked two private armed vessels which lay in the port, and, after a determined resistance, succeeded in capturing both. About three thousand men were landed, with whom he proceeded to the town of Portsmouth, which experienced the same fate with Frenchtown and Havre de Grace. After having loaded themselves with the spoil of this unfortunate village, and brought off a great number of slaves, the army re-embarked, and soon after left the coast.

After this unhappy detail of crimes and calamities, it is refreshing to the moral sense to turn to a narration of hostilities of a very different character, and whose trophies were neither stained with the tears of the innocent, nor the blood of the unresisting. The ocean, on which the American arms had previously been triumphant in every conflict, had, while these operations were taking place, been the scene of many sanguinary engagements, in some of which the British flag had been in its turn victorious. The previous victories of the American frigates, while they filled the British nation

with surprise and mortification, made them anxious to wipe off the stigma which then attached, for the first time for above a century, to their naval character. The uncontrolled mastery of the ocean for so long a period, had wrapt them in a state of security, in which discipline and science were fast decaying. The American victories roused them from this state; and it was foreseen by both nations, that their future contests on that element would probably be more sanguinary and indecisive. Either misunderstanding, or grossly exaggerating the force of the American frigates, the British government had issued private orders to the commanders of its vessels of that description, to avoid an encounter with the former; while they soon after sent out from their ports a new description of force, seventy-four gun ships, deprived of part of their armament, and cut down* to the appearance of heavy frigates. They were still, however, vessels of a very superior force to the American frigates, which therefore were not a suitable match for them.

Previous to the capture of the Java by the Constitution, the Hornet sloop of war was left blockading the British sloop Bonne Citoyenne, in the harbour of St. Salvador. The blockade was continued until the 24th of January, when a seventy-four gun ship appearing, the Hornet was compelled to take refuge in the port; from which, however, she escaped in the night, and proceeded on her cruise. After passing Pernambuco, her commander, captain Lawrence, ran down the coast of Maranham, and on the 22d of February stood for Demerara. On the succeeding day, he discovered an English brig of war lying in the harbour, and in the afternoon observed another sail on his weather quarter, standing towards him. The latter being soon perceived to be a large man of war brig, the ship was cleared for action, and American colours hoisted. At twenty-five minutes past five, the action commenced, by an exchange of broadsides within half pistol-shot. Observing the enemy in the act of wearing, captain Lawrence bore up, ran him close on board on the starboard quarter, and kept up

* *Razées* was the name given to this new class of vessels.

so heavy a fire, that he surrendered in less than fifteen minutes, in a sinking state, having six feet water in the hold. The prize proved to be the British brig of war *Peacock*, captain Peake, who was killed in the latter part of the action. She mounted twenty cannon, besides two swivels, and had on board one hundred and thirty men, her force being about equal to that of the *Hornet*. The loss of the latter, from the fire of the enemy, was very trifling; one man only being killed, and two wounded: the British suffered much more severely. Every possible exertion was made to keep the *Peacock* from sinking, until the prisoners could be removed. Such, however, was her shattered state, that she went down before this operation could be completed, carrying with her thirteen of her crew, and three of the Americans. Four of the former were fortunately saved by the boats of the *Hornet*.

The risk of their own lives, in thus endeavouring to save those of their enemy, was not the only honourable trait in the conduct of the victors. From their sudden removal on board the American vessel, the prisoners were left destitute of suitable clothing. The fact was no sooner known to the crew of the *Hornet*, than they immediately, and generously, divided with them their own equipment, and a similar degree of delicate and feeling attention was displayed by the officers of that vessel to those of the enemy. Conduct like this, sheds round the character of a nation, a far more beautiful and enduring glory, than that which usually arises from military exploits. The splendour of conquest is too often dimmed by the tears of the vanquished: but the eye of the philanthropist may rest with satisfaction, upon victories achieved without inhumanity, and adorned by the noblest traits of liberal feeling. The public acknowledgments of the prisoners evinced that they were not insensible to the generosity of their enemy, whose conduct afforded so striking a contrast to that of their own countrymen, on preceding occasions. Captain Lawrence returned to the United States on the 19th of March, where he was received with all the respect due to valour and virtue.

From the command of the *Hornet*, in which he had so memorably distinguished himself, captain Lawrence was pro-

moted to that of the frigate Chesapeake. This vessel, which had recently returned from an unsuccessful cruise, was one of those to which the superstition so common among seamen had given the appellation of unlucky. A series of unfortunate events, among which was her capture by the British ship Leopard, appeared to have attended her from the period of her launch. The last, and most fatal of her misfortunes, was now to befall her. The British frigate Shannon, commanded by captain Broke, of equal force with the Chesapeake, was, at the period in which captain Lawrence took command of the latter, cruising off the harbour of Boston. Many of the crew of the Chesapeake had been newly enlisted, and the remainder were unacquainted with their officers, and discontented at the withholding of their prize money. The first officer was unable to join the ship, from indisposition; and several others had been newly promoted from the grade of midshipmen. Notwithstanding these discouraging circumstances, captain Lawrence, whose determined spirit could not brook the idea of a blockade by an equal force, determined upon an engagement with the Shannon. The captain of the latter vessel, equally anxious for a meeting, as his frigate was expressly prepared for the purpose, and perhaps in a higher state of equipment and discipline than any other in the British service, sent in to his opponent a written challenge, expressed in terms such as one honourable enemy ought always to use to another. He signified a desire to meet the Chesapeake wherever captain Lawrence might appoint, and pledged his honour that no other British vessel should interfere. Unfortunately, however, for the American officer, the letter arrived too late, the Chesapeake having sailed previous to its receipt. As it contained a minute account of the force and equipment of the Shannon, captain Lawrence might have been induced to make preparations more suitable to the skill and valour of the enemy he was to contend with.

On the 1st of June, at eight in the morning, the Chesapeake unmoored, and got under way. The Shannon was then in sight, sail was made in chase, and the ship was cleared for action. At four in the afternoon, the British frigate lay to,

to receive her antagonist; and at half past five the action commenced, with great spirit on both sides. The first broadsides were, however, remarkably fatal to the officers of the Chesapeake. In a very few minutes after the commencement of the engagement, the sailing master was killed, and lieutenants Ludlow, Ballard, and Brown, severely wounded. Shortly afterwards, captain Lawrence received a dangerous wound, but remained on the deck, issuing his orders with perfect composure. The fire of the Chesapeake was directed with evident effect against the hull of the Shannon; that of the latter was aimed at the rigging of the Chesapeake, with such success, that in twelve minutes from the commencement of the action, she fell on board her antagonist. A raking fire was now poured into her from the Shannon: and captain Broke, seeing that her decks were nearly swept of the crew, took the opportunity of boarding at the head of the marines. At this moment, captain Lawrence, who had persisted in remaining on deck, received a mortal wound, and was carried below.* From the confusion which ensued on board the American vessel, at the loss of the commander, and of most of the officers, no efficient resistance could be made to the determined attack of the enemy. The small number who were able to reach the deck, were soon driven below, and, in a few minutes, the enemy obtained possession of the vessel; and, for the first time, since the declaration of war, the British flag was hoisted in an American frigate. The resistance was, notwithstanding, still continued, in different parts of the ship: and captain Broke and lieutenant Watt, of the Shannon, were severely wounded from the determined, though unavailing efforts of some of the remaining Americans.

This sanguinary contest was at length closed, and the Shannon sailed with her prize to Halifax. Her victory was, however, not achieved without great loss. Her first lieutenant, with twenty-three men, being killed, and fifty-six wounded. Captain Broke was among the latter. The loss of the Chesa-

* It was at this period that he uttered those emphatic words, since so justly celebrated, "*Don't give up the Ship.*"

peake, and of the brave officers and men who were killed in the action, shed a greater degree of gloom over the republic, than had been visible on any previous occasion. The destruction of officers has hardly been paralleled in the annals of naval warfare. Her first and fourth lieutenants, the lieutenant of marines, the master, three midshipmen, and about seventy men were killed: and the second and third lieutenants, the chaplain, four midshipmen, and about ninety men, were wounded. But of all others, the loss of her gallant captain was most severely felt. Brave, active, and enthusiastically attached to his profession, he had acquired, at the early age of thirty-two, the highest rank in the navy of his country, with the respect and esteem even of his enemies. His humanity and generosity, as well as skill and valour, were strikingly displayed in the capture of the Peacock, and it is only to be regretted that his delicate sense of honour should have involved him in an engagement with an enemy's frigate, to which his vessel was, in every point, essentially inferior. Had time been given to discipline and organize the crew of the Chesapeake, and to make her officers better acquainted with each other and with the seamen, the action would probably have had a different result. From the enemy's state of preparation, however, it cannot be doubted, that had Lawrence achieved a victory, it would have been most dearly purchased.

The loftiness of his spirit manifested itself even in his dying moments. While lying in the ward-room, to which he had been carried, the noise of firing ceased; and fearing that the enemy were about gaining possession, he sent the surgeon on deck, with directions to his officers not to strike the colours: "They shall wave," he added, "while I live." The orders, however, came too late; for the enemy had then gained full possession of the ship. He survived her capture only four days; and left behind him a character which might serve as the most perfect model of an honourable and intrepid seaman. To the credit of the victors, his remains were interred at Halifax, with all the honours in the power of the enemy to bestow. They were subsequently, however, removed from that place, through the exertions of Mr. Crowninshield, a

liberal and public spirited citizen of Boston, and brought to New York, for interment in the family vault.

The intelligence of the capture of the Chesapeake was received in England with greater satisfaction than had been manifested in that country on any previous victory of a similar nature. So numerous had been the triumphs of the American navy, that a considerable degree of anxiety began to prevail in that country, lest the high character previously sustained by its seamen should be in any measure forfeited. The victory obtained by captain Broke was considered as in some measure retrieving the maritime superiority of the nation; and the honours paid to that officer, on his return home, were accordingly of the most gratifying nature. The public exultation in England was, soon after this event, heightened by the issue of another combat.

The United States' sloop of war *Argus*, of twenty guns, commanded by captain William Henry Allen, being on a cruise in the British channel, during which she had been very successful in the capture of the enemy's merchant vessels, fell in with the British sloop of war *Pelican*, of rather superior force, which had been fitted out for the purpose of seeking her. The action commenced at five o'clock, on the morning of the 14th of August, and continued with great ardour on both sides until half past six, when the captain and first lieutenant and many of the seamen of the *Argus* being severely wounded, most of her rigging shot away, and the enemy about to board, her flag was struck by the remaining officers. She was carried into England, where her commander shortly afterwards died. It is due to his memory to add, that a more gallant and generous seaman was not to be found in the American navy. He had distinguished himself as first lieutenant of the United States, in her engagement with the *Macedonian*, as well as by the humanity displayed towards his prisoners, while in command of the *Argus*. His last moments were embittered by fruitless regret for the loss of his vessel; but with her he lost no reputation: he was justified in the eyes of his country, by the circumstances of the action; and was placed by her on the

list of those honourable men who died in defence of her rights and dignity.

The capture of the *Argus* was followed, shortly afterwards, by an event which turned the scale of naval victories in favour of the republic. The American brig of war *Enterprize*, of fourteen guns, commanded by lieutenant Burrows, sailed from Portsmouth, on the 1st of September, on a cruise. On the 4th, a vessel of war was discovered, which, after firing several guns, stood for the *Enterprize*, having four ensigns hoisted. At half past three in the afternoon, the action commenced, and continued for forty minutes, when the enemy ceased firing, and surrendered. She proved to be the British armed brig *Boxer*, of fourteen guns, and about one hundred men, and had been commanded by captain Blythe, who was killed in the early part of the action. Her colours had been nailed to the mast, previous to the engagement, and every preparation made for a spirited contest. Besides the captain, her loss of men was very great. That of the Americans was comparatively small: but among the number was the commander of the *Enterprize*. He received a mortal wound, about the same time that his antagonist fell; but refused to quit the deck, until the sword of the British captain had been brought to him; clasp- ing it in his hands, he exclaimed, "I die contented;" and soon afterwards expired. The bodies of the two commanders were interred at Portland, at the same time, and the highest funeral honours paid to their remains.

The frigate *President*, commanded by commodore Rodgers, returned to the United States, on the 26th of September, from an unsuccessful cruise of five months. Having sailed from Boston on the 30th of April, in company with the frigate *Congress*, she cruised in the vicinity of the Gulf Stream, until the 8th of May, when she parted from that vessel. After this period, she stood towards the Azores, and sailed in a course to intercept the enemy's trade, until the 27th of June, when she put into Norway. After leaving that country, she cruised in the North Sea, where she fell in with a ship of the line and a frigate, by which she was chased for several days. On the 26th of September, she arrived at Newport, having captured

twelve of the enemy's vessels. Among them was the national schooner *Highflyer*, by the possession of which the enemy's private signals and despatches were obtained.

After parting company from the President, the Congress frigate stood over to the coast of Brazil, in the vicinity of which she cruised without success, having captured only three vessels. She arrived in the United States on the 14th of December, after an uncommonly protracted cruise.

The enemy's commerce continued, during this year, to suffer considerably from the private armed vessels of the United States. Almost every quarter of the globe bore witness to their enterprise and intrepidity. In the course of their cruises, they frequently encountered the armed vessels of the enemy, and in many instances displayed a degree of valour and seamanship equal to that of the public vessels. Perhaps no instance in the annals of naval warfare can be found, of a more desperate and gallant action than that fought by the American privateer schooner *Decatur*, of seven guns, and one hundred and three men, with his Britannic majesty's schooner *Dominica*, of fifteen guns, and eighty-eight men. The two vessels encountered on the 15th of August, and, after a variety of manœuvres, and a well-sustained action of two hours, the *Dominica* was carried by boarding. A desperate combat was maintained on the deck of the latter vessel, until the captain and most of her officers and crew being disabled, her colours were struck by the crew of the *Decatur*. When the difference in force of the two vessels is considered, this action cannot fail to be classed among the most brilliant of a war fruitful of naval renown.

The frigates *United States* and *Macedonian* had lain in the harbour of New York, without obtaining an opportunity to get to sea, until the beginning of the month of May. About that period, they made an attempt, in company with the sloop of war *Hornet*, to pass the blockading squadron, lying off the Hook; but finding this impossible, without engaging a superior force, they put back, with the intention of passing through the Sound: the vigilance of the enemy, however, obliged them to put into the port of New London. Here every preparation

was made for their defence, in case the enemy should make an attempt upon them. A body of militia was stationed in the vicinity; and the vessels were lightened, and carried higher up the river. The blockade of the port was, however, maintained so strictly, that no opportunity offered itself for an escape during the remainder of the war.

CHAPTER L.

*North-western frontier—Second attempt on fort Meigs—
Defence of Sandusky—Battle on lake Erie, and capture of
the enemy's squadron—Battle of the Thames—Death of
Tecumseh—General Harrison's army arrives at Buffalo.*

THE history of the war on the north-western frontier had been heretofore marked by a series of disasters, arising from an ill-directed, though honourable patriotism. A brighter scene was now opening upon the arms of the republic in that quarter, and a more pleasing task awaits us. We have to record a series of signal triumphs, in which the moderation of the victors was no less conspicuous than their valour; and which, while they redeemed the military reputation of the country, secured the peaceful pursuits of its citizens from the invasion of a savage enemy.

The repulse of the combined force of the allies from fort Meigs, of which we have spoken in a preceding chapter, did not deter them from a renewal of the attempt. Early in the month of July, the Indians began to infest the vicinity of that post; and occasional skirmishes took place between them and parties of the Americans. About the 20th of that month, a large body of British and Indians encamped below the fort. Information of the meditated attack was communicated to general Harrison, by the commander, general Clay. General Harrison accordingly made preparations for his relief; but before any reinforcement arrived, the enemy had abandoned the siege. On the 28th, they embarked on board their vessels, and sailed round to Sandusky bay, hoping to surprise the fort at that place.

Fort Stephenson, the defence of which acquired for its commander so much renown, is situated on the river Sandusky, at about twenty miles distance from lake Erie. At this period, it was little more than a picketting, surrounded by a ditch six

feet in depth and nine in width ; and had been considered by general Harrison as so untenable, that, previous to the attack on fort Meigs, he had given directions to the commanding officer to retire on the approach of an enemy, and destroy the public stores. It was garrisoned by only one hundred and sixty men, regulars and volunteers, under the command of major George Croghan.

On the 29th of July, an express reached general Harrison, with intelligence of the retreat of the enemy from fort Meigs, and of the strong presumptions that an attack would be made upon Sandusky. He immediately called a council of war ; and, by their advice, despatched an order to major Croghan to abandon and set fire to the fort, and repair with his command to head quarters.* The express did not reach fort Stephenson until noon on the succeeding day ; and the Indians having by that time surrounded the fort, major Croghan did not think it advisable to comply with the order.

On the 1st of August, the enemy's gun-boats appeared in sight ; and their troops were shortly afterwards landed, with a howitzer, about a mile below the fort. Previous to the commencement of the operations, an officer was despatched by the British commander, to demand the surrender of the garrison, to which a determined refusal was immediately returned by major Croghan. The force of the enemy was supposed to consist of about five hundred regulars, and eight hundred Indians, the whole commanded by general Proctor.† The enemy now opened a fire from the six-pounders in their gun-boats, as well as from the howitzer, which was continued during the night, with very little injury to the fort. The only piece of artillery in this post was a six-pounder, which was occasionally fired from different quarters, to impress the enemy with a belief that there were several. The fire of the assailants having been principally directed against the north-western angle of the fort, with the intention, as it was supposed, of storming it from that quarter, the six-pounder was placed in such a position as to enfilade that angle, and masked so as to

* M'Affee's Hist. p. 323.

† Ibid. p. 325.

be unperceived. The firing was continued during the next day, and until late in the evening, when the smoke and darkness favouring the attempt, the enemy advanced to the assault. Two feints were made, in the direction of the southern angle; and at the same time, a column of about three hundred and fifty proceeded to the attack of that of the north-west. When they arrived within twenty paces of this point, they were discovered, and a heavy fire of musketry opened upon them. The column, however, led by colonel Short, continued to advance, and leaped into the ditch; but, at this moment, the embrasure was opened, and so well-directed and raking a fire was poured in upon them from the six-pounder, that their commander and many of the men were instantly killed; and the remainder made a disorderly and hasty escape. A similar fate attended the other column, commanded by colonel Warburton. They were received, on their approach, by so heavy a fire, that they broke, and took refuge in an adjoining wood. This affair cost the enemy twenty-five privates killed, besides a lieutenant, and the leader of the column, colonel Short. Twenty-six prisoners were taken, and the total loss, including the wounded, was supposed to be about one hundred and fifty.* The scene which followed the attack reflected the greatest credit on the Americans. Numbers of the enemy's wounded were left lying in the ditch, to whom water and other necessaries were conveyed by the garrison, during the night, at the risk of their own safety. A communication was cut under the picketting, through which many were enabled to crawl into the fort, where surgical aid, and all that the most liberal generosity could dictate, was administered to them.

About three o'clock in the morning, after their repulse, the enemy commenced a precipitate retreat, leaving behind them many valuable military articles. The defence of fort Stephenson, achieved as it was by a youth scarcely arrived at manhood, against a foe distinguished for his skill and bravery, and that too with so small means of defence at the time subsisting, was certainly one of the most brilliant achievements of

* M'Affee's Hist. p. 327.

the war. The news of the repulse of the enemy was received with great exultation throughout the Union. Major Croghan was promoted to the rank of lieutenant colonel; and, together with his brave companions, received the thanks of congress.

The invasion of the state of Ohio having been communicated to governor Meigs, he immediately called out the whole body of the militia of the state. Great numbers accordingly repaired to general Harrison's camp; but the siege of forts Meigs and Stephenson having been raised, he was compelled to disband them, with the exception of about one thousand men. This proceeding occasioned great discontent on the part of the volunteers, and equal regret to general Harrison.*

It will be remembered by the reader, that in the instructions from the government to that general, he was directed to employ the regular army alone, and only to call out the militia in case of a deficiency in the former species of force. The anticipations of general Harrison were now verified. The whole regular force of the north-western army, in the month of July, did not exceed two thousand men.† On the 20th of that month, he received authority from the war department to call out such of the militia of the adjoining states, as might be necessary to complete the intended army. He accordingly wrote instantly to governor Shelby, of Kentucky, requesting a draft, not to exceed two thousand men, from that state. The latter officer, however, being of opinion that the foot soldiers could not be marched in time for the purposes of general Harrison, took upon himself the responsibility of departing somewhat from his directions. On the 31st of July, he issued a proclamation to the militia of Kentucky, calling upon them to furnish a body of mounted volunteers, to meet him at Newport, on the 31st of August, and promising to lead them himself against the enemy.

Such was the unabated ardour of this impetuous and patriotic people, that more than the number required was soon obtained. The regiment of mounted volunteers, under colonel Johnson, which had been in a great measure disbanded, was

* M'Affee's Hist. p. 334.

† Ibid.

now re-organized, and filled up with so much eagerness, that many of the companies contained more than the complement of privates allotted by law. When the recruiting was completed, the regiment was stationed in the vicinity of Dayton, where it was diligently trained by its field-officers: and new manœuvres, adapted to the species of enemy they had to contend with, were introduced and inculcated.*

The remainder of the Kentucky volunteers assembled at Newport, in conformity with their orders, on the 31st of August; and, on the succeeding day, crossed the Ohio, to the number of about three thousand five hundred men. At their head was the venerable and patriotic governor Shelby, who commanded them in chief. Under him were major-generals Henry and Desha, five brigadiers, and eleven colonels. This formidable force arrived, on the 12th of September, at Upper Sandusky. Here the governor received directions from general Harrison, who was at the Seneca camp, to proceed immediately to Lower Sandusky with his army, in order to be in readiness for embarkation, in case of a successful issue of the conflict which it was supposed had taken place on lake Erie.†

Early in the spring of this year, the attention of the national government had been seriously directed towards the important object of the command on this lake. The earnest representations of general Harrison had awakened the administration to a proper sense of the necessity of this measure: and great exertions were accordingly made, to obtain a force competent to engage the enemy. In the month of March, two brigs and several schooners were commenced, at the port of Erie, under the directions of captain Oliver Hazard Perry. The building of these vessels was continued with all possible rapidity, and without molestation from the enemy, until the 20th of July, when the British squadron appeared off Erie, with the apparent intention of attacking the town. The militia of the vicinity were hastily assembled, in addition to the force already provided for its defence: but the enemy soon afterwards retired, without having made any attempt. - On the 2d of Au-

* M'Affee's Hist. p. 348-9.

† Ibid, p. 353-4.

gust, the equipment of the vessels being completed, they were launched: and on the two succeeding days they were buoyed over the bar, at the mouth of the harbour, in face of the enemy's squadron, without any molestation on their part. The latter, finding the force of the Americans superior, returned to Malden, to await the completion of a large ship which was then building. Commodore Perry, having now received an expected reinforcement of seamen, and being joined by a company of infantry, and some volunteers, acting as marines, sailed in quest of the enemy's squadron, which he found lying in the harbour of Malden, augmented by a new vessel, called the *Detroit*, their force being thus superior to that of the Americans. Finding the enemy, however, unwilling to venture out, the American commander returned to Put-in-bay, in Bass island.

On the morning of the 10th of September, while the squadron was lying in this harbour, the enemy's vessels were discovered standing out of the port of Malden, with the wind in their favour. The American fleet immediately weighed anchor, and fortunately got clear of the islands near the head of the lake, before the enemy approached. At 10 o'clock, the wind changed, so as to give the former the weathergage. Commodore Perry then formed his line of battle, and at a few minutes before twelve the action commenced.* The fire from the enemy's long guns proving very destructive to the *Lawrence*, the flag ship of the squadron, she bore up, for the purpose of closing with her opponents, and made signals to the other vessels to support her. The wind, however, being very light, and the fire of the enemy well directed, she soon became altogether unmanageable; she sustained the action, neverthe-

* The force of the enemy consisted of the *Detroit*, of nineteen guns and two howitzers, the *Queen Charlotte*, of seventeen guns and one howitzer, the schooner *Lady Prevost*, of thirteen guns, the brig *Hunter*, of ten guns, the sloop *Little Belt*, of three guns, and the schooner *Chippewa*, of one gun and two swivels. In all, sixty-three guns.

The American vessels were the brigs *Lawrence* and *Niagara*, of twenty guns each, the *Caledonia*, of three guns, the *Ariel*, of four, the *Somers*, of two guns and two swivels, the *Trippe*, *Tigress* and *Porcupine*, of one gun each. In all, fifty-four guns.

less, for upwards of two hours, until all her guns were disabled, and most of the crew either killed or wounded. In this situation of affairs, the American commodore, with singular presence of mind, and a gallantry rarely equalled, and never exceeded, resolved upon a step which decided the fortune of the day. Leaving his ship, the *Lawrence*, in charge of a lieutenant, he passed in an open boat, under a heavy fire of musketry, to the *Niagara*, which a fortunate increase of wind had enabled her commander, captain Elliott, to bring up. The latter officer now volunteered to lead the smaller vessels into close action; while commodore Perry, with the *Niagara*, bore up, and passed through the enemy's line, pouring a destructive fire into their vessels. The smaller American vessels having soon afterwards got within a suitable distance, opened a well-directed fire upon their opponents, and after a short but severe contest, the whole of the British squadron struck their colours to the republican vessels. The *Lawrence*, whose flag had been struck soon after the American commodore left her, had been enabled again to hoist it, previous to the conclusion of the contest, the enemy not having it in his power to take possession of her.

Thus terminated an engagement, which will be long memorable in the annals of the republic, both as being the first victory of a squadron of its vessels over one of an enemy, and as being among the most brilliant and decisive triumphs ever recorded in the annals of naval warfare. Other combats have ended in the capture of a portion of the hostile ships, but this terminated in the surrender of a whole fleet, to one of inferior force. The loss of a vessel, too, in previous encounters of squadrons, was generally followed by the capture of others, or the defeat of the remainder; in this, it seemed only to animate the Americans to more desperate exertions. The advantages, previous to the action, were all, with the exception, perhaps, of the number of seamen, on the side of the British squadron. In the number of cannon, the latter were manifestly superior; and, what is generally considered of much more importance, the commander, captain Barclay, was an officer of great reputation, and practical acquaintance with the

manœuvres of fleets. He had served with considerable credit under the eye of Nelson, and lost an arm in the battle of Trafalgar. The American commodore, on the contrary, was young, and inexperienced in naval tactics, and especially in the manœuvres of a squadron. His bold and enterprising spirit, however, amply compensated for these deficiencies, and caused him to triumph over the veteran bravery of his opponent. His exertions to create the force with which the command of the lake was obtained, were as great as the abilities displayed during the contest, and the modesty and generosity evinced after its conclusion. With classical simplicity, he wrote to general Harrison, those words which have since become memorable: "We have met the enemy; and they are ours."

The enemy endeavoured to account for the loss of the battle, from the small number of British seamen on board their vessels, the greater part of their crew being landmen or Canadians; from the American squadron obtaining the weathergage; and from the uncommon number of British officers killed or wounded. The action was undoubtedly fought with great bravery and skill on the part of the British commander, who was severely wounded, and obliged to quit the deck of his vessel. Every officer, too, commanding vessels, and the second in command, were rendered unable, by wounds, to keep the deck. The American commodore, however, reaped all the advantages in the power of the government or people to bestow, in reward for this splendid victory. He was immediately promoted to a post captaincy, and received the thanks of congress, and of many of the state legislatures, besides innumerable private manifestations of gratitude. The nation, indeed, had seldom had greater cause of rejoicing, than at this event. Not merely was its character raised to the highest pitch of elevation, by this signal victory over a superior force, but the fate of the campaign, on the whole north-western frontier, was decided by the destruction of the British squadron. Having heretofore drawn its supplies through the agency of that fleet, the army of the allies would, it was foreseen, be compelled to evacuate, not only its position in the American territory, but

the greater part of Upper Canada; and that unholy alliance would be broken up, from which so much suffering had been experienced by the citizens of the western frontier.

So decisive a triumph could not be obtained without loss. Of the victors, lieutenant Brooks and midshipman Laub, with twenty-five men, were killed, and ninety-six wounded, among whom were many officers. Three officers, and thirty-eight men, were killed on the part of the British, and nine officers and eighty-five men wounded. The last honours of mortality were paid, on the succeeding day, to the remains of the brave men, of both nations, who perished in this obstinate conflict. Their bodies were interred together, on the shore of that peaceful and sequestered lake, which now, for the first time since the creation, had witnessed the encounter of hostile fleets.

The intelligence of this important victory produced, as may be supposed, sensations of the greatest joy in the camps of governor Shelby and general Harrison. The latter immediately proceeded to Lower Sandusky, having issued orders for the movement of the troops, and the military stores, to the margin of the lake, preparatory to embarkation. Governor Shelby's command also reached that place on the 16th of September, after a difficult and forced march. The squadron having arrived there on the 14th, the prisoners captured in the engagement, to the number of three hundred, were landed, and soon afterwards marched into the interior.

It was now resolved, that the whole army, with the exception of colonel Johnson's mounted regiment, which was to proceed from fort Meigs by the way of Detroit, and a small body left to guard the horses, should be embarked on board the squadron, by which they were to be conveyed to the enemy's shore. From the 16th to the 26th, the troops were occupied in preparations for this movement. On the 27th, the whole army was embarked, and at three in the afternoon landed on the shore of Canada. The line of march was immediately formed, and in a few hours the American flag was hoisted in the town of Malden.

Immediately after receiving intelligence of the capture of his fleet, general Proctor made preparations for a retreat from

his post at Malden, the information he had received of the extent of general Harrison's army being greatly exaggerated. Having destroyed the fort and public stores, the town was finally abandoned, on the day preceding the arrival of the American army. The whole of the British force, consisting of about seven hundred regulars and one thousand Indians, independent of the militia, then retired along the rivers Detroit and Thames.

On the 28th, the American army moved forward, and on the next day took possession of Sandwich, without any obstruction from the enemy. The mounted regiment, under colonel Johnson, joined the army on the 1st of October; and it was then determined by general Harrison and governor Shelby, to pursue the enemy without delay. Leaving, therefore, a strong detachment, under general M'Arthur, to keep the Indians in check, the remainder marched at sun-rise on the 2d, to the number of about three thousand five hundred men, consisting of about one hundred and forty regulars, colonel Johnson's mounted regiment, and part of governor Shelby's volunteers. On the first day, they encamped at a distance of twenty-five miles; and, early on the next, arrived at the river Thames, where a party of the enemy were captured, in the act of destroying the bridge over a creek in the vicinity. On the 4th of October, a skirmish took place between the advanced guard and a party of Indians, at the passage of the fork of the river. The latter were, however, speedily dispersed, by the arrival of the main body, with the two six-pounders. A large quantity of arms and public stores was here captured by the army. On the morning of the 5th, they marched at an early hour; and, about noon, information was received that the enemy was lying at a short distance, awaiting the attack. Colonel Johnson was then sent forward to reconnoitre, and the troops were prepared for action.

The allied army was drawn up across a narrow isthmus, covered with beech trees, and formed by the river Thames on the left, and a swamp running parallel to the river on the right. The regulars were posted with their left on the river, supported by the artillery; while the Indians, under Tecumseh, were

placed in a dense wood, with their right on a morass. In the order in which the American army was originally formed, the regulars and volunteer infantry were drawn up in three lines, in front of the British force; while the mounted volunteers were posted opposite to the Indians, with directions to turn their right flank. It was soon perceived, however, that the nature of the ground on the enemy's right would prevent this operation from being attempted with any prospect of success. General Harrison therefore determined to change his plan of attack. Finding that the enemy's regulars were drawn up in open order, he conceived the bold idea of breaking their ranks, by a charge of part of the mounted infantry. They were accordingly formed in four columns of double files, with their right in a great measure out of the reach of the British artillery. In this order they advanced upon the enemy, receiving a fire from the British lines, from which their horses at first recoiled. Recovering themselves, however, the column continued to advance with such ardent impetuosity, that both the British lines were immediately broken. Wheeling then on the enemy's rear, they poured a destructive fire into his ranks; and in a few minutes the whole British force, to the number of about eight hundred men, threw down their arms, and surrendered to the first battalion of the mounted regiment, the infantry not having arrived in time to share the honour.* Their commander, general Proctor, however, escaped with a small party of dragoons.

In the mean time, a more obstinate and protracted conflict had been waged with the Indians on the left. The second battalion of the mounted volunteers, under the immediate command of colonel Johnson, having advanced to the attack, was received with a very destructive fire; and the ground being unfavourable for the operations of horse, they were dismounted, and the line again formed on foot. A severe contest now ensued; but at length the militia under governor Shelby advancing to the aid of colonel Johnson's battalion, the Indians

* M'Affee's Hist. p. 391.

broke, and fled in all directions, pursued by the mounted volunteers.

A complete and brilliant victory was thus obtained by the American army over an enemy, who, though somewhat inferior in numbers, possessed very decided advantages in the choice of his position, as well as the experience of his officers and men. The battle was, indeed, chiefly fought by the mounted volunteers, to whose unprecedented charge against a body of regular infantry, posted behind a thick wood, the fortune of the day was principally owing. This novel manœuvre, at variance with the ordinary rules of military tactics, reflects the highest credit on the general who conceived, and the troops who executed it. The whole of the American force fully performed its duty, as far as it was engaged. The venerable governor of Kentucky was seen at the head of the militia of his state, exciting their valour and patriotism by the influence of his personal example, and adding to the laurels he had acquired thirty years before, in a contest with the same enemy.

The trophies acquired by this victory were of the most gratifying nature. Besides a great quantity of small arms and stores, six pieces of brass artillery were captured, three of which had been taken, during the revolution, at Saratoga and Yorktown; and were part of the fruits of general Hull's surrender. The prisoners amounted to about six hundred, including twenty-five officers, and were chiefly of the 41st regiment. Of the Americans, seven were killed and twenty-two wounded; and of the British troops, twelve were killed and twenty-two wounded.

The Indians, however, suffered far more severely. The loss of thirty of their number killed was trifling, in comparison with that sustained by the death of Tecumseh, their celebrated leader. His intelligence and bravery were no less conspicuous on this occasion than in the preceding part of the war. He was seen in the thickest press of the conflict, encouraging his brethren by his personal exertions; and, at the conclusion of the contest, his body was found on the spot where he had resisted the charge of the mounted regiment. His death

inflicted a decisive stroke on the confederacy of the savages, from which it never recovered, and deprived the British troops of a most active and efficient auxiliary.

The consequences of this victory upon the interests of the Indian tribes, were soon perceived. Being cut off from their communications with the British posts in Canada, many of them sent deputations to general Harrison, to sue for peace. Previous to the engagement on the Thames, an armistice had been concluded with the Ottawas and Chippewas, on condition of their raising the tomahawk against the British: and soon afterwards the Miamis and Potawatamies submitted on the same terms.*

The object of the expedition having been accomplished by the capture of the British army, the troops commenced their march for Detroit on the 7th. They arrived at Sandwich on the 10th, and soon afterwards the Kentucky infantry returned home, and were discharged at Limestone on the 4th of November, after having received the thanks of general Harrison for their exemplary conduct during the campaign. On their march they had an opportunity of performing the last sad offices to the remains of their brethren at Frenchtown, whose savage massacre we have heretofore narrated. Their bones, which had been left bleaching in the vicinity of the village, were now piously collected, and committed to the grave, with funeral honours: and the troops, by whom this melancholy duty was performed, had the gratification of reflecting, that while they had vanquished the enemies, by whom these outrages were perpetrated, or permitted, they had exercised a forbearance towards them, which afforded a splendid contrast to the conduct exhibited at Frenchtown.

In the mean time, general Harrison was without orders from the war department, for his subsequent operations, the despatches of the government having been put on board a vessel, which was lost on the lake. He resolved, therefore, to take upon himself the responsibility of proceeding down the lake in the fleet. Accordingly, having left general Cass, with

* M'Afee's Hist. p. 400.

his brigade, at Detroit, he sailed on the 22d of October, from Erie, with general M'Arthur's brigade, and a battalion of regular riflemen; and arrived at Buffalo on the 24th. From this place, he marched, by the bank of the Niagara, to Newark, where he shortly afterwards received orders from the secretary of war, to send the brigade of general M'Arthur to Sackett's Harbour, and was informed that he had permission to return to his family.* This intimation, which was considered by him as an order to retire from the command, he immediately obeyed, and this able and distinguished officer, the most popular and successful of the commanders the republic had yet employed, shortly afterwards resigned his commission.

* M'Affee's Hist. p. 405.

CHAPTER LI.

General Wilkinson takes command of the northern army—Plan of operations—Descends the St. Lawrence—Battle of Williamsburg—Failure of the expedition—Cruise of commodore Chauncey—Burning of Newark—British retaliation.

FOR a considerable period after the resignation of general Dearborn, the army of the centre lay inactive at fort George, its commander being restricted from engaging in offensive operations. In the mean time, a new selection of officers had been made by the government, to supply the vacant commands. Major-generals Wilkinson and Hampton, both of whom had served in the war of the revolution, were called from their stations in the southern section of the United States, to the northern frontier. To the former was given the chief command of the forces, destined for the invasion of Canada, and particularly of those on the Niagara. General Hampton was assigned to the northern army, then encamped at Plattsburg, which it was supposed would amount to about four thousand, all regular troops. With this formidable force, the largest efficient army which had yet been assembled, it was confidently expected that decisive measures would be taken, to obtain possession of Canada, or some more substantial advantages than had heretofore been secured.

It was now determined by the administration, that the detachments on the Ontario frontier should be concentrated in one spot, with a view to active operations, by a powerful force. Two objects presented themselves, as worthy of the exertions of the army. The one was the capture of Kingston, a post of equal, and indeed greater importance to the enemy, than that of Sackett's Harbour to the Americans. The other was a movement past Kingston, and down the St. Lawrence, with the design of uniting with the army under general Hampton,

and marching against Montreal. It was finally resolved, that the troops should be concentrated at Sackett's Harbour, and the choice of the two plans left to the commanding general.*

Having made the necessary arrangements with the government, on this subject, general Wilkinson arrived at Sackett's Harbour, on the 20th of August; and, shortly afterwards, proceeded to fort George, where he took command of the troops, amounting to about three thousand five hundred men. A considerable period was employed in collecting and equipping the scattered detachments of the army; and it was determined, that they should be concentrated upon Grenadier island, a position between Sackett's Harbour and Kingston, and contiguous to the St. Lawrence. The secretary of war having, in the mean time, arrived at Sackett's Harbour, for the purpose of superintending the operations of the campaign, the plan of attack was, after considerable deliberation, definitively settled. It was determined that the army should fall down the St. Lawrence, in boats; that it should be joined by the force under general Hampton, at the most convenient point of junction, and should thence proceed to the attack of Montreal,† which, at that period, was supposed to be garrisoned by a very small force.‡ The advanced stage of the season, when the plan was undertaken, rendered it necessary that the greatest expedition should be used. Such, however, were the difficulties attending the concentration of the troops, that it was not until the 23d of October, that a sufficient force was collected to justify a movement. The army, thus assembled, consisted of about seven thousand men, and was composed of a regiment of light artillery, parts of the 1st and 2d regiments of artillery, eleven regiments of infantry, and a body of riflemen. The force of the enemy, at Kingston, was supposed to amount to about four thousand men, he having collected his detachments from the peninsula, on the supposition of an attack being meditated on that place. To continue the idea, and prevent preparations being made below, general Wilkin-

* Official papers. Historical Register, Vol. III. Appendix, p. 112—13.

† Ibid. p. 142, &c.

‡ Ibid. p. 147.

son appointed French creek, a post on the St. Lawrence, convenient for the attack on Kingston, as the place of rendezvous for the army. To this spot, therefore, the advance of the army, under the command of brigadier-general Brown, was despatched, with the artillery and ordnance stores. On the 1st of November, an attack was made on this body, by a squadron of the enemy's small vessels. Their fire was, however, returned with so much spirit, by a battery of three eighteen pounders, erected by captain M'Pherson, that they drew off. The attack was renewed on the next day, with no better success : and, on the 3d, the rear of the army, with the commanding general, joined the advance.

Every thing being now in readiness, the whole flotilla got under way on the 5th, and proceeded down the river. On the succeeding day, it advanced to within three miles of a fort on the enemy's bank at Prescott. Here, the ammunition, and the greater part of the men were landed, and directed to march, under cover of the night, to a bay, about two miles below Prescott, where it was to be joined by the flotilla. A heavy fog arising in the evening, an attempt was made to pass the batteries : but, a fire being opened by the enemy, the flotilla was halted until the night had further advanced, when the passage was finally effected, without any injury to the boats : and they arrived at the place of rendezvous at ten o'clock on the succeeding day. Orders were sent, from this place, to general Hampton, to advance with his division, to form a junction with the main body.*

It began now to be perceived, that the descent of the St. Lawrence could not be effected with the ease anticipated. At every narrow pass of the river, bodies of musketeers and of artillery were stationed ; and intelligence was soon received, that the enemy, relieved of his fears for the safety of Kingston, had despatched a force of about fifteen hundred men, and a squadron of armed vessels, to harass the rear.

To remove the obstructions in front, colonel Macomb was landed, with the elite corps, of twelve hundred men, on the

* Historical Register, Vol. III. Appendix, p. 155.

7th; and succeeded in routing a party at a blockhouse, about two miles below. On the next day, the advance was reinforced by the brigade of general Brown, together with some light artillery and cavalry, and placed under the command of that officer. A long and dangerous rapid was now approached: and orders were given to generals Brown and Boyd, the latter of whom commanded the rear guard, on the Canada shore, to take the necessary precautions to prevent an attack from the enemy, while in this situation. General Brown, accordingly, marched on the morning of the 10th, and was soon engaged with a party of the enemy in front, while an attack was made on the rear of the flotilla, by a number of gun-boats. Unable to resist the fire of these vessels, with his slender boats, general Wilkinson ordered a battery of eighteen pounders to be erected, which soon obliged the enemy to retire. On the 11th, information was received from general Brown, that he had repulsed the force opposed to him, and had taken a position at the foot of the rapid. It was determined, therefore, to attempt the passage of the rapid, and orders were given to general Boyd, to commence his march, with the rear detachment. At this moment, a fire was opened from the gun-boats, and intelligence was received from general Boyd, that the enemy was advancing in column, to assail him. He was immediately directed to anticipate the attack, by moving against the enemy with the whole of his detachment, and endeavouring to out-flank him. The action accordingly commenced, by a charge upon a party of the enemy, posted in a wood, who, after a short skirmish, were driven out on their main body. The latter was advantageously posted, behind the deep ravines, which intersected the plain. General Covington now advanced, upon the right of the enemy, with his brigade, while colonel Ripley assailed his left flank, with the 21st regiment, after having driven back, with the bayonet, a superior number opposed to him. The contest now became general, throughout the line; but the unfortunate fall of general Covington, who was killed, while gallantly leading his brigade to the charge, and the want of ammunition, caused that part of the American army to retire. The artillery also, having expended its

ammunition, was compelled to fall back : and, in its retreat, one piece was captured by the enemy, in consequence of the difficulty of the ground over which it had to pass. After a contest of two hours, with alternate success on either side, the whole of the Americans engaged, retired, and re-occupied the ground from which the enemy had been originally driven, while the latter drew off to his camp. Soon afterwards, the American infantry were embarked on board the flotilla, while the dragoons and light artillery proceeded by land, to the foot of the rapid.*

In this indecisive action, the numbers on both sides were supposed to be nearly equal, the American troops amounting to about seventeen hundred, and those of the enemy being estimated at from fifteen hundred to two thousand men. The victory, as is usual where no decided advantage is gained, was claimed by both parties. The American commander contended, that the object of his attack had been gained, in the repulse of the enemy, and the occupation of the ground previously possessed by him. The British official statement, on the other hand, contended that the capture of a piece of artillery, and the retreat of the Americans to their boats, left the advantages entirely on their side. They estimated their own force at about eight hundred men, and that under general Boyd at about four thousand, a misstatement so gross, as to throw discredit upon the whole of their report. The loss sustained by the Americans, amounted to one hundred and two killed, including brigadier-general Covington, whose fall was deeply lamented by the whole army ; and two hundred and thirty-seven wounded. That of the enemy, according to the official report, was twenty-two killed, one hundred and forty-seven wounded, and twelve missing : they claimed, also, to have captured upwards of one hundred prisoners.

On the following day, the flotilla again sailed, and having passed the rapid without loss, arrived, in the course of the morning, at a place called Barnhart's, near St. Regis, where it

* General Wilkinson's Report, &c. Historical Register, Vol. III. Appendix, p. 148. General Wilkinson's Life, Vol. III.

joined the advance under general Brown. At this latter place, it was expected that the troops under general Hampton would have been found, in conformity to the orders despatched by general Wilkinson on the 6th. To the surprise and regret, however, of the army, a messenger was met here, from general Hampton, conveying information, that in consequence of the state of the roads, and the scantiness of his provisions, he was unable to attempt the expected movement. A council of war was immediately called, composed of the chief officers of the army, who gave it as their unanimous opinion, that it would be unadvisable to make any attempt upon Montreal, during that season. The army accordingly evacuated the Canadian territory, and soon afterwards went into winter quarters at French Mills, a post on the Salmon river, in the vicinity of St. Regis. Thus were the hopes of the American people once more blasted, by the failure of this ill-concerted expedition. The highest expectations of success had been formed, from the supposed talents and energy of the secretary of war, by whom the plan had been in a great measure conceived, and from the skill and experience of the commanding general. It seems difficult, however, at this period, to conceive how any rational hope of final success could have been entertained from a scheme so manifestly inconsistent with the dictates of prudence and military science. To descend a river of dangerous and intricate navigation, lined with batteries and hostile troops, for the purpose of attacking a fortified town, defended by an experienced enemy, was in itself a difficult and arduous operation, which required, at least, that effectual measures should have been taken to secure a retreat, in case of a repulse. By leaving, however, so strong a post in his rear as Kingston, garrisoned by an army of four thousand men, the American commander subjected himself to the inconvenience of having his march harassed, and his divisions beaten in detail. No certainty, besides, existed of a junction with general Hampton, without whose aid, the attack upon Montreal could not have been attempted with any reasonable hope of success. In addition to these original defects, the indisposition of general Wilkinson was such, as to render him inca-

pable, during a considerable portion of the campaign, of directing the operations in person ; and it was found, on the arrival of the army at Barnhart's, that the stock of provisions was not sufficient for its consumption for any considerable period. Under these circumstances, it was perhaps fortunate for the interests of the republic, that the expedition terminated at St. Regis.

In the mean time, the northern army, under general Hampton, had not been idle, although its operations were attended with little more success than those of general Wilkinson. It was, as we have seen, part of the plan of the campaign, that a demonstration should be made towards Montreal by that division, during the movements on the Ontario frontier. Accordingly, in the month of September, general Hampton moved from Plattsburg towards the lines of Canada, which he crossed on the 21st of October. The enemy, however, anticipating the movement, had taken every precaution against his advance, by felling timber across the roads, destroying the bridges, and devastating the country. The route of the army lay down the banks of the Chateaugay river : and on the 22d, it succeeded in passing through the woody, and reaching the open country. Beyond this, at the distance of seven miles, the enemy was intrenched, in force, behind a succession of wooden breastworks, having the Indians and light corps in front. From this post, it was deemed necessary to dislodge him. Colonel Purdy was therefore detached on the 25th, with the first brigade, to fall on his rear, while the remainder of the army attacked him in front. Owing to the ignorance of the guides, however, who accompanied the first brigade, it was not able to reach the point of attack, and being assailed by a party of the enemy, it effected its retreat, with considerable loss, to the main body. The second brigade, under general Izard, had, in the mean time, driven the enemy's advanced line behind its intrenchments ; but, finding that colonel Purdy's command was not able to co-operate, it also retired. The endeavour to force the enemy's line of defence having thus failed, and no advices being received of the situation of the Ontario division, it was determined by a council,

to be advisable to return to Chateaugay, in order to secure the communication with the United States. The army accordingly fell back on the 27th, to the Four Corners, a post within the American lines. The conduct of this division, during the expedition, does not appear to have been of such a nature as to add to the reputation either of the commander or of the nation. Great insubordination and discontent existed on the part of the troops, who wanted, besides, a greater acquaintance with discipline and tactics, to enable them to meet the enemy with effect.* The commanding officer appears also to have been deficient in a proper knowledge of the country he was to traverse, as well as of the means of preserving a due degree of discipline and authority.†

In this position on the Chateaugay, to which he had fallen back, general Hampton received the letter of general Wilkinson, requesting a junction of his force on the St. Lawrence. He immediately returned an answer, as we have already stated, giving his opinion of the impracticability of the measure, in consequence of the want of provisions, and soon after fell back to Plattsburg, with a view of opening a direct communication from that post, to one on the St. Lawrence, in the vicinity of Montreal. Nothing further was, however, done during the season. The troops went shortly afterwards into winter quarters, and general Hampton resigned his commission in the army, leaving the command of the northern army to general Izard.

The contest for superiority on lake Ontario, during the fall of this year, was, as heretofore, calculated more to exhibit the skill and seamanship, than the valour of the officers. The prudent caution of the British commodore, induced him to avoid a general action, the result of which might have been so disadvantageous to the interests of his country, while the efforts of commodore Chauncey to bring on an engagement, were generally crippled by the inferior sailing of his small vessels. On the 5th of October, however, after a fruitless chase of the

* Letter of general Hampton to secretary Armstrong. Historical Register, Vol. III. Appendix, p. 111.

† See colonel Purdy's report to general Wilkinson. Ibid. p. 161—2—3.

British squadron, he succeeded in capturing five of the enemy's transport vessels, containing about three hundred officers and privates of the regular army.

After the departure of generals Wilkinson and Boyd, from fort George, the command of that post devolved upon brigadier-general M'Clure, of the New York militia. His force, at the time, consisted almost entirely of militia, whose term of service expired in the early part of December: and, on the 10th of that month, only one hundred men were left to defend the fort: it was accordingly resolved, by the chief officers, that it was necessary to abandon the place, it being no longer tenable. If the American officer had confined himself to the destruction of the fort, and the public property of the enemy, his acts would have received the approbation of the community in general. He unfortunately, however, considered himself under the necessity of committing to the flames the peaceful and flourishing village of Newark, adjoining to the fort, and thus involving in ruin many innocent families. This outrage upon humanity, and the laws of civilized warfare, which nothing in the position of the enemy, or the conduct of the inhabitants, rendered necessary, received, as it deserved, the censure both of the government and citizens of the United States. The act was promptly disavowed by the former, in an official communication to the authorities in Canada; but, before the disavowal reached the British commander, an ample measure of retaliation had been inflicted upon the inhabitants of the American frontier.

On the 19th of December, at four in the morning, the enemy crossed the river in great force, and surprised the garrison of fort Niagara. The troops, to the number of about three hundred, consisting chiefly of invalids, were massacred almost without resistance. The few who escaped the sword of the enemy, retired to a blockhouse, where they were soon afterwards compelled to surrender. On the same day, the enemy, accompanied by a considerable force of Indians, attacked and defeated a body of militia, stationed on the heights of Lewistown; burnt the village of that name, together with that of Manchester, Young's town, and the Indian settlement of

Tuscaroras ; and, having put many of the unoffending inhabitants to the sword, returned to Canada.

This scene of ruin and devastation did not, it appears, satisfy the British commander. On the 30th of the same month, a party of regulars, militia, and Indians, to the number of about seven hundred, landed at Black Rock, and proceeded to the town of Buffalo, to defend which, a body of militia, amounting to upwards of twenty-five hundred, were drawn up. To the lasting disgrace of these men, however, they all except a very small number, fled on the approach of the enemy, without firing a musket.* The village was in consequence soon taken, and reduced to ashes. Thus this once-flourishing and happy frontier, was now visited with the most cruel severities of war, in the midst of an inclement season. The propriety of retaliating upon the innocent, for the wrongs committed by the government or citizens of the same country, is at least questionable. When it is deemed proper to exercise the right, however, humanity and justice dictate that it ought to be done with moderation : and posterity, while they justly condemn the conduct of the American officer, who afforded the provocation, will not fail to animadvert upon the cruel and vindictive spirit which appeared to govern the conduct of the British troops on this occasion.

* Letter of general Cass to the secretary of war. Historical Register, Vol. III. Appendix, p. 187—9.

CHAPTER LII.

Meeting of the thirteenth Congress—Election of Speaker—Internal taxes—Other proceedings—Second session—Embargo—Repeal of the restrictive system—Increase of the army and navy—State of the treasury—Loan of twenty-five millions—Inquiry into the failure of the campaign—Mission to Gottenburg—Adjournment of Congress.

THE members of the thirteenth congress assembled at Washington on the 24th of May, 1813, at a period in which party spirit raged with unusual violence throughout the Union. The policy of the republican party, in declaring war, as well as the conduct of the administration, in its prosecution, had been canvassed with great warmth, in the different sections of the United States, and were now to be subjected to the scrutiny of the representatives of the people. Having been chosen since the promulgation of that important act, they brought with them the matured expression of the public opinion, which, it was soon seen, was clearly and decidedly in approbation of that measure.

An opportunity of trying the strength of the two parties, in the house of representatives, was afforded by the choice of a speaker, on the first day of the session. The candidates were, Henry Clay, a distinguished citizen of Kentucky, and an able advocate of the war, and Timothy Pitkin, of Connecticut, a popular and respectable member of the party in opposition. The former having received eighty-nine votes out of one hundred and forty-eight, the number of members present, was declared duly elected, and proceeded to the performance of his duties.

On the succeeding day, the president transmitted to both houses, his customary communication of the state of the republic. The first and most important event, in reference to

its foreign relations, taken notice of in this message, was an offer which had been made by the emperor of Russia, to mediate between the United States and Great Britain. The congress was informed, that the offer had been accepted on the part of the former, and that three commissioners had been appointed, with the requisite powers to conclude a treaty of peace with Great Britain, who had sailed to St. Petersburg for that purpose. The desire of the United States to resume the relations of peace, and its liberal proposals to obtain it, were stated; but the necessity of preparing for a vigorous prosecution of the war, as the only sure means of obtaining that blessing, was strenuously urged. After noticing the continued successes of the navy, and the hopes entertained of an equal degree of honour from the exploits of the army, the message proceeded to the subject of financial affairs. The receipts into the treasury, from the first of October to the 31st of March, were stated to have amounted to fifteen millions four hundred and twelve thousand dollars, while the expenditures, during the same period, amounted to fifteen millions nine hundred and twenty thousand dollars. There was then in the treasury a balance of one million eight hundred and fifty-seven thousand dollars, including a small balance there at the commencement of the year. The revenue for the remainder of the year 1813, was expected to exceed twenty-nine millions, and the expenditure, it was anticipated, would be nearly equal to that sum. From this view of the state of the treasury, the president concluded his communication with recommending the imposition of internal taxes, as a sure means of providing a sufficient revenue for the support of the war, both by their direct operation, and by the facilities they would afford to the obtaining of future loans.

In conformity with this recommendation, as well as with reference to the exigencies of the country, the subject of the revenue was one of the first which engaged the attention of congress. On the 10th of June, the committee of ways and means, to whom the report of the secretary of the treasury had been referred, introduced a number of bills, authorizing the levying of internal duties. These bills, which were subse-

quently passed into laws, were seven in number, corresponding to the different subjects of taxation. By the first, a direct tax upon lands and houses, to the amount of three millions, was authorized to be collected. The remainder imposed duties upon distilled liquors, refined sugars, retailers' licenses, sales at auction, carriages, and bank and other notes. The proceeds of the whole, it was supposed, would amount to upwards of five and a half millions, after deducting the expenses of collection and the probable losses. The passage of these bills was strenuously opposed. They were, however, adopted by a considerable majority.

Little else of material importance occupied congress during the remainder of the session, which was marked by debates of unusual length and acrimony, between the contending parties. A bill to prevent altogether, or to punish by heavy penalties, the use of British licenses, and another authorizing a loan of seven and a half millions for the service of the year 1814, were the most prominent of the laws passed after this period. A short time also, previous to the adjournment, a report was presented from a committee appointed to inquire into the manner in which the war had been conducted on the part of the enemy. The report was of great length, and was substantiated by documents exhibiting proofs of many flagrant departures from the established rules of hostility, some of which we have had occasion heretofore to record. The spirit of inhumanity manifested by the enemy was reprobated in warm language by the committee: but as the power of retaliation was vested in the president, they did not consider it necessary to propose the adoption of any measures.

After a session of ten weeks, congress adjourned on the 2d of August.

On the 2d of December, the second session of the thirteenth congress commenced, in conformity to law. The requisite number of both houses appearing, they were organized, and on the succeeding day received the president's message. After stating the expectation of the American people, that the government of Great Britain would have promptly acceded to the offered mediation of Russia, he informed them, that it had been

declined in the first instance, and that nothing therefore remained but to continue the public exertions. The success of the American arms on lake Erie and the Thames, and the progress of the war with the Creek nation, were next adverted to. He then called the attention of congress to a subject which involved the most important considerations. Among the prisoners taken by the British arms in the course of the war, there were several who had been born within the dominions of the king of Great Britain, but had emigrated to the United States long previous to the war between the two countries. The principles of the British constitution recognizing no right of expatriation of its own citizens, however remote the period of removal, the persons thus captured were put into close confinement, and subsequently sent to England for trial, as traitors to their country. The American government, feeling itself bound to protect those of its citizens who fought under its banners, without regard to the place of birth, immediately placed in close confinement an equal number of British soldiers, with a notification that they would experience a similar degree of severity to that inflicted on the American prisoners. In retaliation for this step, American officers and non-commissioned officers, double the number of the British soldiers put in confinement as above stated, were imprisoned, and a similar measure of punishment threatened them: and it was at the same time notified to the American government, that the commanders of the British fleets and armies, were instructed, in the same event, to proceed with the utmost severity against the towns and inhabitants of the coast and frontier. To convince the British government, on the other hand, of the adherence of that of America to its principles, a like number of British officers were selected to abide the fate of the Americans; and the British government was notified of the determination of the republican authorities to retaliate any other proceedings contrary to the rules of civilized war. In this situation did affairs stand when the president's message was delivered. Subsequently to that period, the whole of the American officers, prisoners in Canada, were put into confinement: and the most melancholy consequences

were anticipated from a perseverance in these measures. Fortunately, however, for the interests of humanity, this delicate and important question was not decided at this period of violence and animosity. An arrangement was effected, in the spring of the year 1814, between the two governments, by which all prisoners, including hostages captured since the war, were exchanged, with the exception of those originally sent to England for trial, it appearing that no proceedings had been instituted against them by the British government. The American government, however, reserved the right of retaliation, in case any punishment should thereafter be inflicted upon its citizens.

Having explained the conduct of the government in this transaction, the president proceeded to lay before congress a view of the treasury for the preceding year. The receipts during that period exceeded thirty-seven and a half millions, of which nearly twenty-four millions were the produce of loans. The expenditure, it was stated, was below the amount of the receipts, by about seven millions. The message concluded with an anticipation of success in the struggle in which the republic was engaged, arising from the justice of the cause and the energy of the people.

Two days after the receipt of this communication, another message, of an important nature, was sent by the president to both houses. It recommended the imposition of an effectual embargo upon exports, and that the prohibition of articles of British produce or manufacture should be more completely enforced. The tendency of the existing situation of the commerce of the United States to favour the enemy, by enabling him to obtain supplies for his fleet, and to evade the non-importation laws, was the principal reason suggested for the adoption of this measure. The bill which was reported, in conformity with this message, finally passed both houses after a violent opposition. By this act, an effectual seal was placed upon the commerce of the United States both foreign and domestic. No vessel was allowed to depart from any port in the Union, to any other even in the same state, except in certain specified cases. Public and private armed vessels, and

foreign vessels in ballast, were not included in the operation of this law. The effects of this measure were felt very severely in many sections of the Union, particularly in the eastern states, which had enjoyed superior privileges during the preceding part of the war, in consequence of the partial blockade of the enemy. Many attempts were therefore made to obtain a repeal or mitigation of the law, and new fuel was added to the fire of party spirit and of sectional prejudices. The act was denounced as unconstitutional and oppressive, as well as impolitic and unnecessary, and was defended with equal warmth by the leaders of the majority.

The system of restrictions upon commerce, however, was not destined to be of long continuance. Since the period of their original adoption, the state of Europe, with which the interests of the United States are intimately connected, had undergone a surprising change. The colossal power of France, which for more than twenty years had been increasing in magnitude, with a rapidity and energy unknown in modern times, was now as suddenly overthrown. The unceasing avarice of empire by which the ruler of France was actuated, had arrayed against him every nation of Europe from the Baltic to the Tagus, and had driven him, at this period, within the ancient boundaries of France. With the destruction of his power fell also that project of commercial restriction styled the continental system, by means of which he had hoped to dictate terms to Great Britain. The maritime powers upon whom this part of his authority had fallen with the greatest severity, hailed with eagerness the revival of that happier system, which left to all nations the liberty of pursuing the course of conduct to which nature had adapted them. Commerce being thus unshackled in Europe, many reasons, it was supposed, concurred to induce the American republic to avail itself of the advantages that might arise from this new state of affairs. The opening of the continent of Europe having enabled the British nation to derive supplies, and export its manufactures to that quarter, the continuance of the restrictive system could not materially injure it, while it might produce very deleterious effects upon America. Such appear to have been the motives

which led to a repeal of the embargo and non-importation laws. This measure, which took place in the early part of April, was recommended in a special message by the president, and was adopted by large majorities in both houses.

The increase and better organization of the military force, occupied a great share of the attention of congress soon after this event. It had been found by experience, that the inducements to enlist in the regular army were insufficient. Such was the prosperous and happy situation of the people, that materials for armies, similar to those commonly found in other countries, were not sufficiently abundant in America. The high price of labour, and the cheapness of land, enabled all who were able bodied to obtain the means of support, without incurring the perils and privations of a camp. In this situation, it required, as may be supposed, strong pecuniary offers to induce men to enlist in the ranks of the regular army. Those whose patriotism urged them to support by their physical services, the rights of their country, generally preferred the ranks of the militia or of the volunteers, where they were commanded by officers of their own choice. It became necessary, therefore, to appeal to the sense of pecuniary interest, to fill up that species of force on which it was now plainly the interest of the government to rely in its future operations. A bill was therefore, early in the session, reported in the house of representatives for this purpose, and soon afterwards passed into a law. By this act, it was declared that any able bodied person, thereafter enlisted in the army of the United States, for five years or during the war, should receive a bounty of one hundred and twenty-four dollars, fifty of which were to be paid at the time of enlistment, fifty when mustered with the corps, and the remainder on his discharge from service. A subsequent section directed the sum of eight dollars to be paid to every person who should provide a suitable recruit. The premium thus given for enlistment was higher than had perhaps ever been known in military history, and would, it was foreseen, be the cause of a heavy pressure upon the treasury. It was accordingly opposed with great warmth, for this reason, and upon the general ground then taken by the opposition, that

any further attempts at offensive operations, on Canada, were, at that period, useless and impolitic. The supporters of the war, however, argued with equal earnestness, that the invasion of Canada, by concentrating the enemy's forces, prevented him from assailing the frontier of the republic; and that experience had proved the inefficiency of the militia, except in cases of defence. The bill finally passed both houses, by large majorities. Having increased the premium for enlistment, it was now deemed expedient to add to the numbers and efficiency of the army. To obtain this end, several laws were passed during the session. The act, authorizing the enlistment of fourteen regiments of infantry, to serve for twelve months, passed in the winter of 1812-13, had been found to produce no material good effect. The recruits, who were rapidly enlisted, had no sooner acquired the rudiments of the military science, than they were discharged, by the expiration of their term of service. To remedy this defect, the president was authorized to re-enlist those regiments, to serve for five years, or during the war. By subsequent acts, he was also authorized to raise three additional regiments of riflemen. The three regiments of artillery were formed into one corps, and organized into twelve battalions: and the dragoons were consolidated into one regiment.

To the naval force, little addition was made during this session. The want, indeed, of a sufficient number of able seamen, and competent officers, would have been an insurmountable objection to any other than a gradual increase of vessels of war. The corps of marines was, however, augmented considerably in number, and the pay of the naval officers increased. A new species of defensive force also, combining the power of land batteries with the convenience of removal from place to place, was, for the first time, authorized. The application of the power of steam, to the propulsion of small vessels, had been tried in the United States, with great and decisive success. Its inventor, an ingenious and distinguished citizen of the republic, had recently conceived the idea of applying the same force to vessels of war. The plan had received the approbation of several of the most distinguished naval

officers : and, having been submitted to congress, that body appropriated the sum of five hundred thousand dollars, for the building and equipping of one or more floating batteries, on the principles of Mr. Fulton.

In the annual report of the secretary of the treasury, which was laid before congress on the 10th of January, the expenditures for the year 1814 were estimated at upwards of forty-five millions ; and the ways and means, for defraying those expenses, at only sixteen millions, leaving to be provided for, upwards of twenty-nine millions. The plan of finance, adopted at the commencement of the war, was to defray the extraordinary expenses incident to the war, by means of loans, leaving the expenses of the peace establishment, and the interest of the old and new debt, to be discharged by the customs, internal taxes, and the sale of lands. Pursuing this course, the committee of ways and means reported, on the 1st of February, to the house of representatives, two bills, authorizing a loan, and the issuing of treasury notes, for the service of the year 1814. By the first of these bills, which soon afterwards passed both houses, the president was authorized to receive subscriptions to a loan, not to exceed twenty-five millions of dollars. The second vested in him authority to issue treasury notes, to an amount not exceeding five millions, and to issue a further sum of five millions, to be taken as part of the preceding loan. The loan was subsequently negotiated on terms much more favourable to the government, than had been expected, from its unprecedented size, and the existing state of the nation.

The repeated misfortunes that had befallen the American armies, in their attempts on the enemy's posts in Canada, had excited considerable agitation in the public mind, and a desire of investigating the policy that had led to these consequences. The subject was taken up in the house of representatives, early in the session. On the 31st of December, a resolution was adopted, requesting the president to lay before the house such information as might tend to illustrate the causes of the failure of the arms of the United States, on the northern frontier. In conformity with this resolution, the president subsequently

transmitted a series of documents, consisting principally of the correspondence of the secretary of war with the military commanders. The most important part of these communications we have included in our narrative of the events to which they relate. They evinced that a great degree of dislike and jealousy existed between the two commanders of the American forces, which threatened, from the outset, to endanger the success of the cause. The presence of the secretary of war, also, at Sackett's harbour, does not seem to have had a favourable effect upon the operations of general Wilkinson's army. The documents, on the whole, shed considerable light upon the transactions of the time, although they did not appear to require the interference of the legislature. A resolution which was offered, towards the close of the session, for the appointment of a committee, to make inquiry into the subject, with power to send for persons and papers, was negatived by a large majority.

The hopes by which the public had been flattered, that the British government would not refuse to accede to the Russian mediation, were, as we have seen by the president's message, totally illusory. The objection of that government to accepting the Russian offer, was made on the ground, that their dispute with America involved principles of the internal government of Great Britain, which it was not thought expedient to commit to the mediation of any sovereign. This decision of the prince regent, was communicated to the American government, by lord Castlereagh, by means of a vessel bearing a flag of truce, whose arrival occasioned great sensation in the republic. In this despatch of the British secretary, however, the American government was informed, that the prince regent, equally desirous with the republican government, to put a period to the calamities of war, was willing to appoint commissioners to treat with those of America, in London or Gottenburg. The American secretary, in reply, made known to lord Castlereagh, that the president accepted the proposal of a direct negotiation, and of the appointment of Gottenburg as the place of meeting. The despatch expressed the president's regret, that it had not been deemed advisable to accept the of-

ferred mediation of the emperor of Russia, and disclaimed any desire of intermingling the negotiations between the two countries, with those of the continent of Europe. In consequence of this proposal, five commissioners were appointed by the president, with the consent of the senate, to proceed to Gottenburg. John Quincy Adams, Albert Gallatin, and James A. Bayard, who had been previously appointed under the proposed mediation of the emperor of Russia, and had proceeded to St. Petersburg, together with Henry Clay, then speaker of the house of representatives, and Jonathan Russell, were the persons authorized to treat with the commissioners of the British government. The two latter gentlemen soon after sailed for the place of meeting. In consequence of his appointment as commissioner, Mr. Clay resigned his station in the house of representatives, and was succeeded by Langdon Cheves.

The necessary business of the session having been finished, congress adjourned on the 18th of April.

CHAPTER LIII.

Operations of the war with the southern Indians—Engagement near the Lachway towns—Massacre at fort Mimms—Expeditions of generals Jackson, Cocke, and Coffee—Termination of the war.

IN treating of the causes and conduct of a war, maintained by a savage against a civilized nation, we are aware, that the greatest caution ought to be observed, lest an undue degree of moral or physical superiority be ascribed to the latter. Between the contradictory narratives of enlightened nations, differing, as they often do, in the most minute, as well as in the most important statements, the truth may generally be found. Where, however, the art of recording and perpetuating events, is possessed only by one party, it is natural that misrepresentation should occur, and the annalist, to whom one source of information only is open, finds it difficult to delineate the principal features of such hostilities, without deserving the charge of partiality. Passion, prejudice, the love of gain, and contempt for the rude and uninformed people by whom they are surrounded, operate strongly to incite the frontier inhabitants of the republic to hostilities, and to exaggerate the merit and importance of their triumphs over these undisciplined tribes. On the other hand, causes no less powerful, have long kept the greater part of the Indian people in a state of virtual warfare with the United States. The influence of feelings, common to all mankind, in a similar situation, the desire of revenge, and the hope of re-possessing those happier seats, from which their ancestors were driven, added to the sense of their diminution, through the power and arts of their civilized neighbours, had, previously to the war of the United States with Great Britain, produced a spirit of irritation and animosity, which that event soon kindled into a flame.

Whatever may be thought of the policy pursued by the United States towards the Indians of the north-western frontier, those of the south appear to have had little real cause of complaint. Residing within the geographical limits of the United States, they had experienced the same protection, and had partaken of the same benefits, as the white inhabitants. Their possessions were guaranteed and secured to them by the power of the national government, the arts of civilized life introduced, and the means of religious and moral instruction were afforded them. By the exertions of the government, aided by the philanthropic endeavours of individuals, the principal tribes of the southern frontier had made great advances in improvement. The idea and right of separate property in the soil, began to be felt, and industry and the virtues of domestic life expanded in proportion. Nothing but time, and the influence of a mild and enlightened religion, seemed wanting to raise them nearly to an equality with their civilized neighbours. But to convert man from a savage to a settled and agricultural state, is a task of extreme difficulty. The force of early habits, and hereditary antipathies, added to the difference in the advantages and enjoyments of the two situations, those of the one being immediate and perceptible, of the other remote and uncertain, have, from the earliest period, operated to impede the exchange : and the savage, who from childhood may have been educated among the luxuries and refinements of cities, takes the first opportunity of freedom, to return to his native mountains. It is not surprising, therefore, that many of the southern Indians were discontented with their new situation, and anxious to return to that life of freedom and enjoyment, which they saw other tribes possessing. Another powerful cause, also, operated to alienate their minds from the United States. In the spring of the year 1812, they were visited by the celebrated Tecumseh, whose designs appear to have been of the most extensive nature. The bold and enterprising genius of this chief, led him to penetrate into the most remote quarters in the furtherance of his great object. With an ardent, but savage eloquence, he endeavoured to excite them to a resistance against what he represented as fla-

grant oppression. He reminded them of the usurpation of their lands by the whites, and painted in glowing colours, their spirit of encroachment, and the consequent diminution, and probable extinction, of the race of Indians ; and contrasted their sedentary and unmanly occupations with the wild and fearless independence of their ancestors. Nor did he omit to call to his aid, the influence of religion, that powerful engine in the hands of the ambitious. He denounced the vengeance of the great spirit against those of his degenerate children, who should imitate the manners, or worship the gods, of the whites ; and succeeded in establishing as chief prophet among the Creeks, one who was the partisan of his enterprises, and the partaker of his councils.

The effects of these arguments were soon visible among the Creeks. Parties of the young men were organized, who committed depredations upon the settlements of the Americans ; and the flame soon spread throughout the nation. The first regular appearance of hostility, however, was made by the Seminoles, and the tribes of Creeks, residing within the limits of the Floridas. Having been joined by numbers of fugitive negroes from the United States, they commenced a cruel and harassing warfare against the whites. In the month of September, 1812, a party of volunteers from Georgia, under colonel Newnan, to the number of one hundred and seventeen, were attacked near the Lachway towns, by a superior force of Indians. A sharp conflict ensued, which ended in the retreat of the latter into a swamp, with the loss of their leader, who bore the title of king. Finding that his body remained in the hands of their opponents, they renewed the attack, for the purpose of obtaining it : and with a loyalty and valour, which among civilized nations, would have bought them an imperishable fame, continued a desperate contest until they succeeded in obtaining it. They then retired, but returned again the same evening with reinforcements ; and after various success, the Georgians were compelled to return to the place from which they had set out. From this period, however, until the summer of the succeeding year, no event of any importance occurred. The national government had

called out a force from Tennessee, for the protection of the southern section, which was immediately filled by volunteers, to the number of twenty-five hundred, and placed under the command of general Jackson, afterwards so justly celebrated. With this force, he marched through the country of the Choc-taws and Chickasaws, to Natchez, where he remained a short time ; and was then directed to return home. His expedition had the effect of overawing the Creeks, for the time : but their animosity was only concealed, and burst forth with a fatal violence a few months afterwards.

Intimidated by the threats of the Indians, the settlers in the most exposed situations on the Alabama, had taken refuge in forts, temporarily erected, at great distances from each other. In one of these, called fort Mimms, situated in the Tensaw settlement, a party of about one hundred and fifty men were collected, under major Beasely, of the Mississippi territory, with a number of women and children. Notwithstanding the warnings frequently received, of an intended attack, this party was so much off their guard, as to be surprised at noon-day, on the 30th of August. The Indians, to the number of about six hundred, partially penetrated through the gateway ; but, after a desperate conflict, the garrison succeeded in closing the passage. The enemy retired for a short time, but in a few minutes returned, and having with their axes cut their way into the area, they drove the besieged into the houses, to which they set fire. The most dreadful carnage now ensued. Those whom the flames spared, fell victims to the tomahawk ; and of nearly three hundred men, women and children, with whom the fort was filled, only seventeen escaped, to carry the dreadful intelligence to the neighbouring stations.

This sanguinary and unprovoked massacre was followed by the ruin and devastation of the remaining settlements. The unfortunate inhabitants endeavoured to escape to the lower country ; and, in many instances, encountered suffering and torture of the most cruel nature. It need excite no wonder, therefore, that the most exemplary retaliation was inflicted upon this ungrateful people. The citizens of the neighbouring states, were universally inspirited with the desire of avenging

the death of their brethren. The state of Tennessee immediately took measures for the embodying of a force sufficient to inflict the merited chastisement. The legislature passed a law, authorizing the executive to call out thirty-five hundred of the militia, for this purpose. General Jackson was accordingly ordered to draft, and assemble at Fayetteville, two thousand of the militia and volunteers of his division, and colonel Coffee was directed to proceed, with five hundred mounted men, to the frontier of the state. The former having collected a part of his force, moved on immediately, and joined colonel Coffee on the 12th of October, at Ditto's landing, on the Tennessee. From this place they marched to the Ten Islands, on the Coosa, after suffering severely from the want of provisions, arising from the ill-management of the contractors.* A few days afterwards, general Coffee was detached with nine hundred men, to attack and disperse a body of the enemy, posted at Tallushatchee, about thirteen miles distant. Early on the succeeding morning, he arrived within a short distance of the town, and dividing his force into two columns, completely surrounded it. The Indians, perceiving the approach of a company of spies, sent to draw them into the field, made a furious charge, and drove them upon the main body. The latter, in their turn, compelled the enemy to fall back, and take refuge in their town, where they maintained, for a long time, a desperate conflict, neither asking nor receiving quarter, until nearly every warrior perished. The wounded survivors, and a number of women and children, were taken prisoners. One hundred and eighty-six of the enemy were killed, among whom were unfortunately some women and children, who are represented to have lost their lives in consequence of being mingled with the warriors.† Of general Coffee's force, five were killed, and forty wounded. The detachment rejoined the main body on the evening of the same day.

Having received information, soon after this event, that the enemy had invested a fort of the friendly Indians, at Talladega, about thirty miles distant, general Jackson determined

* Reid's Life of general Jackson, p. 45—7, &c.

† Ibid. p. 51.

to proceed with his whole army, to its relief. His force now consisted of twelve hundred infantry, and eight hundred mounted cavalry and gun men: and, leaving behind the sick, the wounded, and the baggage, under a sufficient guard, he commenced his march, at midnight of the 7th of December, the day on which he received the information. Such was the ardour of the troops, and the skill and resolution of their commander, that, notwithstanding a detention of many hours in crossing the river, and their fatigue and want of sleep, they arrived by the evening within six miles of the enemy. At five the next morning, the march was resumed, and at seven, the army having arrived at the distance of a mile from the Indians, general Jackson made his dispositions for the attack. The advance, under general Carroll, was directed to commence the action, and having drawn the enemy out of their post, to fall back upon the main body. The mounted men were posted on the right and left, so as to be able to surround the enemy, while a corps of reserve, of two hundred and fifty cavalry, were posted in the rear of the centre. This plan would have fully succeeded, had it not been for the defection of a part of the infantry, who fled on the first approach of the enemy. The reserve, however, having been brought up, a sharp conflict ensued, which ended in the total overthrow of the enemy. The greater part of them escaped, in consequence of the investment not being complete. Three hundred warriors were left dead on the field, and many more were killed in the pursuit. Their whole force was supposed to have exceeded one thousand. Fifteen of the Americans were killed, and eighty wounded. The friendly Indians were thus relieved from their anxiety, and the opportunity might have been taken, to follow up the blow, but for the want of provisions, and the situation of the posts in the rear. The American commander accordingly commenced his return, on the succeeding day; but on his arrival at fort Strother, at the Ten Islands, he found, to his great mortification, that none of the expected supplies had arrived. In this situation, the army was soon reduced to great inconvenience: and the discontent arising therefrom, broke out into an open mutiny, which it required all the

firmness and decision of their commander to suppress. Their dissatisfaction, and desire to return home, were, however, too deeply fixed to be shaken, although no means were left untried, to induce them to remain at their posts. The drafted militia, and the volunteers, formed each a brigade. To the officers of these corps, general Jackson earnestly remonstrated against the proposed return to the settlements, and promised, that if supplies did not arrive in two days, the whole force should be allowed to return. The volunteers were, notwithstanding, inflexible : and a great part of them were accordingly marched back to fort Deposit. The militia, on the contrary, were induced to remain ; but the two days having elapsed, that body also set out for fort Deposit. On the road, however, the supplies were met, advancing to fort Strother ; and the troops were ordered to return. Another mutiny again ensued, which was quelled by the general at the risk of his life, and they once more returned to their duty.* Hardly had this body reached fort Strother, before difficulties again arose on the part of the volunteers. Having misconceived the meaning of the act of congress, under which they were received into the service of the United States, they claimed to be discharged on the 10th of December. To this, general Jackson opposed argument, remonstrance, and, at last, was obliged to resort to force, as the only means of compelling them to the performance of their duty. Finding, however, that the discontent of this body was not to be altogether removed, he finally ordered them to be marched back to Nashville, to await the orders of the president.†

While this able commander was thus contending with the turbulence of these misguided men, the Indians were suffering, in another quarter, a full measure of retribution. General Cocke, who commanded the detached militia of East Tennessee, had despatched general White, with a part of his force, against the towns of the Hillabee tribe. This unfortunate race, who had been the principal sufferers at the battle of Talladega, had applied to general Jackson for peace, offering

* Reid's Life of general Jackson, p. 61—77.

† Ibid. p. 77—89.

to receive it on such terms, as he should dictate. Ignorant of this proposal, general White proceeded to fulfil his instructions: and having destroyed their town, and killed sixty of the warriors, he returned with about two hundred and fifty prisoners. About the same time, too, the Georgia militia, under general Floyd, obtained a signal victory over a body of the enemy, at the Autossee towns, on the Tallapoosa river. The Indians fought with a degree of bravery, bordering upon desperation. The superior tactics of civilization, however, triumphed, and after a contest of three hours duration, the enemy fled, with the loss of about two hundred killed, among whom, two of their kings were included. Eleven of the Georgians were killed, and fifty wounded.

The discontent, and insubordination of general Jackson's army, were not diminished by the discharge of the volunteers. Every accession of force appears to have been animated with the same spirit, or to have caught the baneful contagion. Many of the superior officers, regardless of their stations and characters, are represented to have given countenance to, or not sufficiently restrained, the riotous conduct of their men.* The term of service of the militia, too, having now expired, general Jackson was soon afterwards abandoned by all but a small number, who had volunteered to remain. A reinforcement of about one thousand mounted volunteers, however, soon after arrived, who were engaged for sixty days only. They were placed under the command of general Coffee; and general Jackson resolved to lead them immediately against the enemy. They accordingly marched on the 15th of January, and at Talladega were joined by about two hundred friendly Indians. At this place, general Jackson received advices from general Floyd, of a contemplated movement of his force, and determined to advance further into the Indian country, for the purpose of making a diversion in his favour.

A considerable body of the enemy, being posted at a bend of the Tallapoosa, near the mouth of a creek, called Emuck-

* Reid's Life of general Jackson, p. 62—97—107—&c.

fav, he resolved to proceed thither immediately. After a difficult march, he arrived, on the evening of the 21st, in the vicinity of the enemy, and encamped in a hollow square. Hearing from his spies, that the Indians were apprized of his approach, and appeared meditating an attack, every preparation was made to receive them. At dawn the next morning, they commenced a furious onset on his left flank ; and after a warm action of half an hour, were repulsed, and driven back about two miles. General Jackson now ordered general Coffee, with four hundred men, to reconnoitre the enemy's encampment, and to attack it, if he thought it advisable.

That officer, however, finding the post too strong, returned to the American encampment : and shortly afterwards, a part of the enemy made a feint upon the right of the army, while the main body commenced a furious assault upon the left. In the mean time, general Coffee was detached to turn their left flank. His force, which had been considerable at the outset, was reduced by the desertion of his men, to about fifty,* with whom, nevertheless, he succeeded in driving the enemy opposed to him, into the marshes of the creek. In this situation, covered with reeds, they were secured from danger. General Coffee, therefore, retired with the hope of drawing them out. In this design, he completely succeeded : the enemy advanced from their place of retreat, and a sharp contest ensued, which continued about an hour, when a reinforcement arriving from the main body of the Americans, the Indians fled with precipitation, pursued by the victors, and perished, it is supposed, to a man.

In the mean time, the conflict on the right of the main body, had also eventuated in the success of the American arms. The enemy, posted behind logs and trees, had maintained a warm fire for some time, which was sustained by the Americans with great gallantry. A general charge was, however, soon ordered, which the Indians were unable to resist. They betook themselves to flight, and reached their fortified post with great loss.

* Reid's Life of general Jackson, p. 127—8.

This well-fought battle was not gained without considerable loss to the victors. The wounded required care and attention, which they could not receive in that quarter : and the provisions began to grow scarce ; nor was there any prospect of a speedy supply. Influenced by these considerations, general Jackson determined to retrace his steps to the Ten Islands. Accordingly, on the succeeding morning, he commenced his march, and continued it without interruption, until evening, when he encamped on the south side of the Enotichopco creek. This stream being deep, and its banks rugged, and covered with reeds, there being also a narrow defile near the usual crossing place, general Jackson, apprehensive of an attack in so unfavourable a situation, resolved to cross at a different ford. Having, by means of his pioneers, selected a suitable place, he moved the army in that direction, on the succeeding morning. The Indians, who had lain in the defile in great force, finding the route of the army changed, hastened to the new crossing, and arrived in time to make an attack upon a part of the rear guard, the advance and wounded having reached the opposite bank. Orders had previously been given by the commanding general for the rear guard, in case of an attack, to face about, and act as the advance, while the right and left columns should be so disposed as to cross the stream above and below, and thus encircle the enemy. Had these orders been obeyed in the same spirit in which they were conceived, the complete destruction of the savages would have been inevitable. The rear guard, however, to the surprise and mortification of the general, precipitately fled into the creek, at the first fire, thus obstructing the passage by which the front division was to have re-crossed. Not more than twenty remained to oppose the assault of the enemy ; by these, however, and by the gallant conduct of a company of artillery, the conflict was still maintained. The latter hastily drew their piece of cannon to an eminence, from which they fired grape shot with such effect, that after many ineffectual attempts to obtain possession of it, the Indians, who were now on the point of being assailed by a part of the main body, retired in confu-

sion, and were pursued a considerable distance. Their loss, during the pursuit, was very great, while that of the Americans is represented to have been comparatively trifling. To the great exertions of the company of artillery, the success of the Americans was mainly owing. The activity and energy of general Jackson, and the exertions of general Coffee, who, though suffering under the wounds he had received, in the battle of the 22d, took an active part in the engagement, were eminently conspicuous. Captain Quarles, lieutenant Armstrong, and several others of the company of artillery, were killed or wounded in this engagement. The repulse received by the enemy, prevented any further molestation of the army, which reached Fort Strother on the 27th.

In the mean time, general Floyd had been pursuing with success, his separate plan of operations. On the 27th of January, before dawn, his camp was assailed with great violence by the enemy. A warm and general action ensued, which ended in the flight of the savages, with the loss of thirty-seven killed, while that of the Americans was also considerable.

Soon after the return of general Jackson to Fort Strother, the term of service of the volunteers expired, and they were discharged with honourable testimonies by their commander. To supply their places, a draft of twenty-five hundred militia was now made, for a tour of three months, and a regiment of regular infantry, six hundred strong, arrived at Fort Strother, on the 6th of February. The unfortunate want of provisions, which had heretofore crippled the operations of the army, still existed, and prevented the expected junction of the militia, at Fort Strother. Discontent again threatened to disgrace the army, and paralyze its energies ; by the firmness and decision, however, of general Jackson, order was once more restored. By great exertions, he succeeded in obtaining the necessary supplies ; and on the 14th of March, commenced another expedition against the enemy, which ended in the total overthrow, and subjugation of this unfortunate nation. Having established a fort at Cedar creek, he set out with the intention of attacking the encampment on the Tallapoosa, near

New Youcka. This post, which it had been deemed most prudent to leave untouched, on the former expeditions, was subsequently selected and fortified, with a degree of knowledge and skill uncommon among an uncivilized people. Surrounded almost entirely by the river, the only passage by which it was accessible was over a narrow neck of land, which had been fortified with the greatest care. A breastwork, from five to eight feet in height, formed of trunks of trees and timbers placed horizontally on each other, with only one place of entrance, and a double row of port-holes, served as the means by which this brave but deluded race hoped to resist the torrent, which now threatened to overwhelm them.

The force which general Jackson brought with him to this encounter, was greater than any he had heretofore commanded. Although reduced by the detachments left behind for garrisons, it amounted to little less than three thousand men. At ten in the morning of the 27th of March, he reached the vicinity of Tohopeka. The enemy, aware of his approach, made every preparation in their power to receive him ; and arrayed their force, which was supposed to amount to about one thousand men, in the best manner for defence.

General Jackson soon arranged his plan of attack. Having despatched general Coffee, at the head of the mounted infantry, and friendly Indians, with directions to gain the southern bank, and encircle the bend, he drew up the remainder of his forces in front of the breastwork. The cannon, directed by major Bradford, were posted on an eminence, about two hundred yards from the enemy's line, while the musketry was placed nearer, to take advantage of the appearance of the enemy from their works. In this situation, the army lay for some minutes. At last, the signal being made that general Coffee had reached the opposite side of the river, the troops moved forwards to the charge. They advanced to the breastwork with the utmost gallantry, and were received with equal coolness. For some moments, a most destructive contest was maintained at the port-holes ; at length, major Montgomery, of the regulars, springing to the wall, called to his men to follow him.

He was immediately killed : but the ardour of the troops was not restrained by his fall. They scaled the rampart with impetuosity, and in a short time drove their opponents into the brush, with which the peninsula was covered. From this they were again forced, and retreated to the southern bank, where they found general Coffee's command on the opposite shore. Driven now to desperation, by finding their retreat cut off, those who survived endeavoured to take refuge behind the lofty and precipitous bank of the river, from which they occasionally fired upon their conquerors. General Jackson, who saw that the victory was completely gained, sent a flag, with an interpreter, to summon them to a surrender. Either misunderstanding the nature of the proposal, or being determined to refuse quarter, they fired upon and wounded one of the party. The destruction which they appeared to seek, was now therefore accorded them. The trees and brush, in which they had concealed themselves, were set on fire, by means of torches, and they were thus exposed to the view of their assailants, by whom their numbers were soon materially thinned. This work of slaughter and misery continued until night. The few wretched survivors were enabled, by the darkness, to make their escape. In the mean time, general Coffee's detachment, by making an attack upon the village, and diverting the attention of the enemy, had contributed materially to the success of the action.

This victory, which in its consequences was final and decisive, gave a death blow to the power and hopes of the Creeks. Never, in any preceding conflict, had their native valour and resolution been more eminently conspicuous. They fought with undaunted courage at their entrenchments, and only fell back when overpowered by vastly superior numbers. Their contempt of death, and loftiness of spirit, are manifested by the fact, that only four men were taken prisoners, while three hundred women and children fell into the hands of the victors. Five hundred and fifty-seven warriors were found dead on the ground, besides a great number who perished in attempting to cross the river. Among the killed were three of their

religious counsellors, whom they denominated prophets, and who met their death with that composure, which arose from a conviction of the justice of their cause, and the persuasion of future happiness. Thus, while we feel disposed to admit the propriety of inflicting exemplary punishment, on those whom neither humanity nor treaties could restrain, we cannot but admire the unquenchable fortitude and devotion of this heroic race. Neither ought a just tribute of praise to be withheld from the American troops. When it is considered, that they had recently left their homes, and pacific occupations, to encounter an enemy, who, though inferior in numbers, was yet terrible from his bravery, and skill in the species of warfare practised, and whose position, on this occasion, added greatly to his advantages, their steady and determined bravery entitles them to the highest encomiums. Throughout the whole of this campaign, indeed, their behaviour was such as to obliterate the disgrace, which had previously attached to the militia of Tennessee, from the disorderly conduct of preceding detachments, as well as to acquire for them the highest praise from their commanding officer. In the battle of Tohopeka, fifty-five of the Americans were killed, and one hundred and forty-six wounded. Among the former was major Montgomery, a young officer of great promise, and lieutenants Moulton and Somerville.

After this engagement, general Jackson returned with his victorious army to fort Williams: but, determined to give his enemy no opportunity of retrieving the misfortune that had befallen him, he re-commenced operations immediately afterwards. On the 7th of April, he again set out for Tallapoosa, with the view of forming a junction with the Georgia troops, under colonel Milton, and completing the subjugation of the country. On the 14th of that month, the union of the two armies was effected, and both bodies moved to a place called the Hickory Ground, where, it was expected, the last final stand would be made by the Indians, or terms of submission would be agreed on. The principal chiefs of the different tribes had assembled here, and, on the approach of the army, sent a de-

putation to treat for peace. Among them was Weatherford, celebrated equally for his talents and cruelty, who had directed the massacre at fort Mimms. It had been the intention of general Jackson, to inflict a signal punishment upon him, if ever in his power. Struck, however, with the bold and nervous eloquence of this fearless savage, and persuaded of the sincerity of his wishes for peace, he dismissed him without injury.* He shortly afterwards became the instrument of restoring peace, which was concluded by the total submission of the Indians. They agreed to retire in the rear of the army, and occupy the country to the east of the Coosa, while a line of American posts was established from Tennessee and Georgia, to the Alabama, and the power and resources of these tribes were thus effectually destroyed.

When we review the services performed by general Jackson, in this quarter, of which our limits enable us to give but a feeble sketch, we cannot but be struck with their value and magnitude. To create armies out of the jarring and discordant materials put in his power, to lead them through an intricate country, the nature of which opposed almost insurmountable obstacles to an invading enemy, and to vanquish an armed nation, abounding in resources, and the means of defence, were tasks of no ordinary difficulty. His brilliant and varied talents, however, enabled him to triumph over all the obstacles opposed to him, and gained him the highest reputation.

* Some of the speeches of this warrior have been preserved, and exhibit a beautiful specimen of the melancholy but manly tone of a savage hero, lamenting the misfortunes of his race. The following passages are all we have room to insert. Addressing general Jackson, he said, "I am in your power—do with me as you please. I am a soldier. I have done the white people all the harm I could; I have fought them, and fought them bravely." "There was a time when I had a choice, and could have answered you: I have none now,—even hope is ended. Once I could animate my warriors; but I cannot animate the dead. My warriors can no longer hear my voice: their bones are at Talladega, Tallushatchee, Emuckfaw and Tohopeka. Whilst there was a chance of success, I never left my post, nor supplicated peace. But my people are gone; and I now ask it for my nation and myself." Reid's Life of general Jackson, p. 165, 166.

No quality was more conspicuous in him than that moral courage, which, more rare than the mere animal bravery of ordinary men, enables its possessor to withstand the shock of opinion, and the influence of adverse events. By means of this, he commanded the respect of his riotous soldiery, at a period of lawless confusion; and, on a subsequent occasion, by his contempt of established precedent, when the safety of the republic was at stake, he added new honours to those he had gained in the war with the Creeks, and saved a most important portion of the country from the power of the enemy.

CHAPTER LIV.

Northern frontier—Affair of La Cole—Affairs on lake Ontario—Warfare on its shores—Operations of the left division—Capture of fort Erie—Battles of Chippewa and Bridgewater—Siege of fort Erie—Sortie—The siege raised—Occurrences in the north-west.

THE army under general Wilkinson, whose abortive attempt upon Montreal we have narrated in a preceding chapter, remained at the post of French Mills, and in its vicinity, during the greater part of the succeeding winter. The rigour of the season, and the state of the roads, prevented any operations of importance on either side, until a late period. General Wilkinson had, however, in the month of January, projected an enterprise against the enemy's posts at Prescott and Kingston, which he was on the eve of undertaking, when he received orders from the secretary of war to detach general Brown to Sackett's Harbour, with two thousand men and a due proportion of cannon, and to fall back with the remainder of his force to Plattsburg.

Accordingly, after having destroyed the barracks at French Mills, that post was abandoned by general Wilkinson; and, having despatched general Brown to Sackett's Harbour, he retired to Plattsburg. This movement was followed by the incursion of a large party of the enemy, who crossed to French Mills on the 21st of February; and, having destroyed the arsenal and public stores at Malone, returned in confusion on hearing of the approach of the American army, leaving behind a considerable number of deserters.

After this period, no further movement of the army took place until the end of March. The American commander had, in the mean time, directed a battery to be erected upon a point of the shore of lake Champlain, from which it was sup-

posed the British squadron could be kept in check. The enemy, on discovering this plan, collected a large force at La Cole mill, a strong and extensive house, in the vicinity of the point. To dislodge this party, and at the same time favour the operations of the army under general Brown, on the Niagara, general Wilkinson moved with about four thousand men from Plattsburg, and crossed the Canada frontier on the 30th of March; after which, parties of the enemy were encountered at Odletown, and driven back upon their main body. It was now determined to make an effort for the destruction of the fortified building, in which they were posted. An eighteen pounder, which had been ordered up for this purpose, it was found difficult to remove, from the nature of the roads: a fire was therefore opened from two smaller pieces, which were directed with great precision. Such was the solidity and strength of the walls, however, that no impression could be effected upon them, while a severe fire was kept up by the garrison, which produced considerable loss to the besiegers. Several sorties were also made upon the battery, which ended in the repulse of the assailants: but finding that his efforts to obtain possession of the building were ineffectual, the American commander withdrew his forces, and retired to Odletown, with the loss of about one hundred, in killed and wounded. The enemy, who claimed in this affair a brilliant victory, acknowledged a loss of about sixty, including officers.

Great discontent was excited in the public mind, by the result of this expedition, which certainly reflected no credit upon the American commander, who ought to have brought heavier artillery, to the attack of so strong a post. The failure, too, of the intended attempt upon Montreal, had caused the tide of popular opinion to set strongly against him. In consequence of these events, he was shortly afterwards removed from his command, which devolved upon general Izard. At a subsequent period, however, being brought to trial before a court martial, on various charges, implicating his conduct in this and the prior expedition, he was honourably acquitted.

The winter and spring of 1814 were chiefly employed in a contest for superiority, in the number of vessels on lake On-

tario. Early in the season, a frigate of the largest size was building at Sackett's Harbour, which it was necessary to fit out before commodore Chauncey could regain the ascendancy. It became, of course, an object of importance with the enemy, to destroy this vessel before she was in a state to sail. On the night of the 25th of April, three boats were discovered approaching the shore, which, after receiving a fire from the American guard, retired, having thrown overboard several barrels of powder, prepared for explosion. The attempt to destroy her having thus failed, the Superior was launched on the 1st of May.

The enemy appeared now determined to avail himself of his command of the lake, to destroy, as much as possible, the American means of warfare. The next attempt, in the order of time, was an attack upon Oswego, a small village near the border of the lake, where a large amount of naval stores was supposed to be deposited. The place was defended by a fort, which, not being permanently occupied, was greatly out of order, and mounted but five guns. It was, however, garrisoned by colonel Mitchell, with about three hundred men. On the 5th of May, the enemy's whole fleet, accompanied by gunboats and smaller vessels, was descried from the fort. Fifteen boats, filled with troops, were soon perceived approaching the shore; but in consequence of the heavy fire kept up by the battery, they were compelled to return to the fleet. On the 6th, however, the squadron having taken a position to cannonade the fort, the troops of the enemy succeeded in effecting a landing, and colonel Mitchell retired in good order. The British force, which was supposed to amount to about fifteen hundred men, and was commanded by lieutenant-general Drummond, advanced, and took possession of the village, from which the naval stores had principally been removed, to the falls of Owego, a distance of about twelve miles. Hither colonel Mitchell now retreated, destroying the bridges in his rear. The British troops, disappointed in their object, retired on the next day, with the loss of about one hundred in killed and wounded, having destroyed the ordnance of the fort, and a small quantity of naval stores. The American loss was

estimated at about seventy. Colonel Mitchell received great credit for his able dispositions on this occasion.

Shortly afterwards, another attempt was made by the enemy to possess himself of the naval stores intended for Sackett's Harbour, which eventuated still more unfavourably for him. After the evacuation of Oswego by his troops, the equipment of the Superior had so far progressed, that, fearing an action, sir James Yeo's fleet retired into Kingston, leaving a number of gun-boats on the lake. It was then deemed proper by the American officers to remove the stores from Oswego to Sackett's Harbour by water. Accordingly, captain Woolsey, of the navy, left that port, on the 28th of May, with eighteen boats, accompanied by major Appling, with about one hundred and thirty of the rifle regiment, and about the same number of Indians. On the succeeding day, they arrived off Sandy creek, where they were discovered by the enemy's gun-boats, and in consequence entered the creek. The riflemen were immediately landed, and, with the Indians, posted in an ambuscade. The enemy, as was expected, ascended the creek, and landed a party, which endeavoured to ascend the bank. The riflemen immediately rose from their concealment, and poured so destructive a fire upon them, that, in ten minutes, they surrendered, to the number of about two hundred, including two post captains and six lieutenants. This important conquest was achieved with the loss of one man only on the part of the Americans. With the British were captured three gun-boats, and several smaller vessels and equipments; but their most important loss was in the number of experienced officers and seamen, taken on this occasion, and whose capture was very severely felt. Commodore Chauncey, having soon after fitted out the Superior, sailed in view of Kingston; but, as he had now a superiority of force, the British commander did not think proper to venture an engagement, until a vessel of the largest size, then building, should be completed.

From this period until the commencement of July, the hostile armies lay comparatively inactive. Soon after his arrival at Sackett's Harbour from French Mills, general Brown put his troops in motion for the Niagara frontier; but, after pro-

ceeding some distance, he returned to the former post. At this place he remained assiduously employed in disciplining and organizing his troops, until he received orders from the government to assemble a division of the army at Black Rock and Buffalo, with a view to the recovery of fort Niagara, which still remained in the hands of the enemy, and to the capture of the British posts in the peninsula. His force, which consisted of between three and four thousand men, was composed of two brigades of regulars, with artillery, the first brigade commanded by brigadier-general Scott, and the second by brigadier-general Ripley, together with a body of volunteers from New York and Pennsylvania, under general Porter. The commander in chief, general Brown, had recently been promoted to the rank of major-general. With this army, therefore, the best appointed, perhaps, and most efficient of any that had been yet assembled, was the last campaign of the war on this frontier commenced.

The first attack made by this force was on the British fort of Erie, opposite to Black Rock. On the 2d of July, at midnight, the whole army embarked in boats from the latter place; and the next morning landed on the enemy's shore. Preparations were immediately made for the assault of the fort; but it surrendered before the artillery could be planted against it. The garrison, to the number of one hundred and thirty-seven, were made prisoners of war.

The British troops in the vicinity were at this period encamped in a strong position at Chippewa; and were supposed to amount to about three thousand men, who were commanded by major-general Riall. To the attack of this place general Brown moved his army, on the succeeding day, leaving behind him a small garrison in fort Erie, and encamped, in the evening, in a favourable position, within two miles of the enemy's works. On the morning of the 5th, the American pickets were repeatedly attacked by parties of the enemy; and general Porter was despatched in the afternoon to gain the rear of these skirmishers, and, by cutting them off, bring on an engagement of the main body. General Riall, about the same time, moved out of his works with his whole force, and soon

fell in with general Porter's command. Perceiving this movement, general Brown ordered the first brigade, and Towson's artillery, to advance and engage the enemy on the plains of Chippewa: and in a few minutes a warm action commenced.

The left of the American position was occupied by general Porter's brigade of volunteers, who, unable to withstand the fire of the British regulars, gave way, and exposed that flank of general Scott's brigade. To prevent the enemy from assailing it, general Brown now ordered up the brigade of general Ripley, with directions to skirt the wood on the left, and endeavour to gain the rear of the British right. After a most severe and arduous conflict, major Jessup, who commanded a battalion on the left flank, succeeded in gaining a position, from whence he opened so galling a fire, as to cause the enemy's right to fall back. In the mean time, the brigade of general Scott had continued to advance against the powerful resistance of the enemy, who, now finding his efforts repulsed at every point, gradually retired, until he reached the sloping ground in the vicinity of Chippewa, where, being hard pressed by the victors, his retreat was changed into a rapid and disorderly flight. The advance of the Americans was, however, checked by the batteries at Chippewa, behind which the British troops had rallied. General Brown now ordered up the artillery, with a view of forcing the works; but finding the day to be nearly spent, and the batteries of the enemy strongly fortified, he drew off his forces, and retired to the camp.

In proportion to the numbers engaged, the loss of men in this action was unusually great. The official report of general Brown stated the killed, wounded, and missing of the American army to amount to three hundred and twenty-eight. That of the British troops appears, from the statement of general Drummond, to have amounted to one hundred and thirty-three killed, three hundred and twenty wounded, and forty-six prisoners, among whom were many officers of rank. Few of the American officers were wounded, and not one killed, although their conduct was such as to call forth the highest encomiums of their commander. Generals Scott and Ripley,

and majors Jessup, Leavenworth, and M'Neill, and many others, were specially noticed in the official report, in terms of high praise.

The news of this victory occasioned, as may well be supposed, sensations of the greatest pleasure throughout the Union. The disasters which had previously attended the arms of the United States, in the major part of their former enterprises, had excited a great degree of despondency in the public mind; and were calculated to produce an unfavourable effect upon subsequent operations. The individual bravery of the American troops was unquestionable; but their deficiency in point of discipline, it was feared, would subject them to a continued series of overthrows. To have gained so signal a victory, therefore, over an equal force of well-trained and veteran troops, accustomed to conquest, was a subject of sincere and well-founded exultation. Another cause, too, heightened the public satisfaction. The general peace in Europe, which had recently followed the overthrow of the French emperor, furnished the British government with new and powerful means for their operations against the republic. With the accession of strength, the tone and temper of that nation had risen; and nothing but the entire subjugation of the United States appeared likely to satisfy the public writers of that island. Threats of the devastation both of the Atlantic and western frontier were held forth; and it was known, that part of a victorious army, flushed with conquest, had embarked for that purpose. The victory of Chippewa, therefore, which established the reputation of the American troops, and the character of the commanders engaged, raised the confidence of the nation in its capacity for defence, and taught the enemy an useful lesson, from which we cannot doubt that they subsequently profited.

Soon after this victory, general Riall abandoned his works at Chippewa, and fell back to fort George, to which place general Brown now determined to follow him. The British squadron, however, having at that period the command of the lake, it was found impracticable to attempt the reduction of that post, with any prospect of success. He therefore prepared

to pursue the British army to the heights of Burlington, on which it had made a stand; and accordingly sent his heavy baggage and wounded to Schlosser, a place on the American side of the Niagara.

In the mean time, general Drummond, anxious to retrieve the credit of the British arms, had reinforced general Riall with all the troops he could collect from York, and the other posts on the peninsula; and having taken the command of this army, advanced upon the Americans, who had fallen back to Chippewa.

On the 25th, general Brown was informed that the British army had moved to Queenstown, in considerable force, and was landing a party at Lewistown, for the purpose of attacking the town of Schlosser, and capturing the stores of his army. With the expectation of drawing him off from this attempt, general Scott was despatched on the road to Queenstown, with his own brigade, Towson's artillery, and the dragoons. At four in the afternoon, this detachment moved from the camp; and, having proceeded about two miles, discovered the enemy, posted on an eminence of considerable strength, having the Queenstown road in their front, the position being defended by a formidable battery of nine pieces of artillery. Between this post and general Scott's advance, was a narrow strip of wood. He immediately determined to attack the enemy, and after despatching an express to camp for a reinforcement, formed his small party in a plain, in front of the British position. The artillery, under captain Towson, opened a cannonade, which was returned by the enemy's batteries with great effect, and an action commenced and was supported more than an hour, by the first brigade, against greatly superior numbers. The 11th and 22d regiments, having expended their ammunition, fell back; both of their commanding, and most of the inferior officers being wounded. The brunt of the engagement then fell on the 9th, commanded by colonel Leavenworth, which suffered severely from the enemy's fire. In the mean time, the 25th regiment, under major Jessup, which had been placed on the right of the American line, finding the road which led to the rear of the enemy's left unoccupied, moved

along it, and threw itself on the rear with such signal success, as to capture general Riall and many other officers, and to cause the flight of a great part of their line. The enemy's batteries, however, still continued a heavy fire, before which the ranks of general Scott's brigade were rapidly thinning; and, reduced as it was in numbers, it was evident that it could not withstand the assault of a fresh body of troops, which the British commander, ignorant of the small amount of troops opposed to him, had ordered up. In this critical situation of affairs, day being now spent, and its light partially supplied by the moon, the second brigade, under general Ripley, arrived in time to retrieve the fortune of the day. Hearing, while at the camp, the fire of musketry and cannon, it was immediately put in motion, and received orders from general Brown to advance to the support of the first brigade, to which it immediately hastened. The order was rapidly complied with, and when the troops arrived on the field, general Ripley was directed by general Brown to form on the right of the first brigade. Perceiving the exhausted state of that body, and the nature of the enemy's position, general Ripley determined to depart from his orders, a literal compliance with which would, in all probability, have placed his brigade in the same dangerous situation with that of general Scott. He saw that the position of the enemy's artillery on the eminence was the great source of annoyance to the American army; and unless that should be carried, their defeat might be considered as certain. He determined, therefore, to place his own brigade between that of general Scott and the enemy's battery, and endeavour to get possession of the latter. Forming, therefore, the two regiments of which his brigade was composed, in the intended situation, he directed colonel Miller to lead the 21st regiment immediately up to the cannon, while he himself, at the head of the 23d, moved to the attack of the infantry on the left. This order was executed by the 21st with a degree of gallantry never exceeded in any previous combat, and which shed the highest glory upon that regiment and its gallant commander. In a few moments, the enemy's cannon were in his possession; and such was the valour of

the assailants, and the resolution of the enemy, that the artillerymen were bayoneted while in the act of firing their pieces. Exactly at the same moment, general Ripley, with the 23d regiment, which had at first faltered before the destructive fire of the enemy, attacked the infantry, and drove them from the crest of the eminence. The enemy's position was thus gained, after a most sanguinary contest; and the line of the second brigade formed in front of the captured cannon, with the first regiment and general Porter's volunteers on the left, and the 25th regiment on the right, the American artillery being between that regiment and the 23d.

Mortified by his expulsion from the eminence, and having received an accession of fresh troops, the enemy now brought up his whole force, and made a resolute and determined attempt to recover his position. He was received with equal gallantry by the second brigade, and, after a close contest of bayonets, was driven down the hill. The attack was renewed a second time, with no better success; and at last, about midnight, a third and final attempt was made, which was not defeated until after great loss on both sides. The firing then ceased in every direction, the British troops having been withdrawn, leaving their opponents in possession of the field. The brigade of general Scott had, while this contest was continued, been re-formed, and, passing through an opening of general Ripley's line, made an unsuccessful charge upon the enemy's right flank; and afterwards, participating in the conflict, it took post on the left.

In this severe engagement, generals Brown and Scott were both wounded, and compelled to leave the field. The command therefore devolved upon general Ripley, who, with this information, received directions from general Brown to collect the wounded, and return to camp. Unfortunately, no means were at hand for the removal of the captured artillery. Most of the horses had been killed, and the troops were so much exhausted as to render the removal of the cannon by hand impracticable. They were, therefore, reluctantly left on the ground, having been previously spiked and otherwise injured. The wounded being collected, and the shattered re-

mains of the army consolidated, the line of march was taken up, in good order, for the camp.

Thus ended a combat which is entitled to a conspicuous place in the American annals, from the courage of the parties, the loss sustained, and the incidental circumstances connected with it. Commencing in the evening, it continued until after midnight, the uncertain light of the moon enabling each party at times to discover the movements of its opponent, while, at intervals, the whole field was shrouded in darkness; and the solemn roar of the cataract of Niagara, which mingled its eternal clamour with the groans of the wounded, and the shouts of conquest, added to the interest and sublimity of the scene. The obstinacy and valour displayed on both sides rendered the combat of unusual length, considering the numbers engaged, and produced a most sanguinary result. The superiority of force was undoubtedly on the side of the British army at the commencement, and was made still greater by the accession of fresh troops. The American army, on the other hand, was divided, and its efforts insulated. The first brigade being nearly overpowered by the great superiority of the enemy, before the arrival of the second, the weight of the battle then fell on the latter. The victory, although claimed by the British commander, belonged undoubtedly to the American army, to which the occupation of the enemy's posts, and the capture of many of his chief officers and all his cannon, although the situation of the troops prevented the removal of the latter, justly entitled them. The loss of men was remarkably equal in number on both sides: but, from the inferior numerical force of the Americans, it fell more severely on them.

Of the British, eighty-four were killed, of whom five were officers; five hundred and fifty-nine wounded, including generals Drummond and Riall, and thirty-nine other officers; and two hundred and thirty-four missing and prisoners; in all, eight hundred and seventy-eight. Of the Americans, eight hundred and sixty were killed, wounded, or missing. The loss of officers was very severe, eleven being killed, fifty-six wounded, and eight missing: among the former were major

M'Farland, of the 23d infantry, and captain Ritchie, of the artillery, both distinguished in their profession.

The capture of major-general Riall, and many other of the enemy's officers, was owing to the enterprise and skill of major Jessup, one of the most gallant and accomplished of soldiers, whose humanity was as strongly displayed on this occasion as his valour. To the judgment of general Ripley, and the unsurpassed steadiness of his brigade, particularly of the 21st regiment, under colonel Miller, the final success of the day seems to have been greatly owing; and the storming of the heights of Bridgewater will long be remembered among the most gallant achievements in the American annals.

The remains of the army having been marched back to the camp, general Ripley received directions from general Brown to refresh the troops, and return to the field of battle in the morning, there to be governed by circumstances. Accordingly, at dawn on the succeeding day, the troops were put in motion for that purpose: but general Ripley, having ascertained that the enemy was strongly posted in front, and his line nearly double that of the Americans, his own force being reduced to sixteen hundred men, resolved to disobey his instructions, and avoid a contest with an enemy of such superior force. He therefore broke up his camp at Chippewa, and, destroying the bridges in his rear, retreated to fort Erie, and immediately proceeded to strengthen and extend its defences.

This wise and judicious retreat, which was severely censured at the time, probably saved the remains of this gallant army from entire destruction. The enemy, to the number of about five thousand men, soon afterwards followed his footsteps, and appeared before fort Erie, to which they began to lay a regular siege. In the mean time, by the indefatigable exertions of the American troops, the fort was put in a better state of defence, although still imperfect. The main camp of the enemy was distant two miles from the American fortifications, around which they now commenced a double line of intrenchments, supported by block-houses.

On the 5th of August, the day after the commencement of the siege, general Gaines arrived from Sackett's Harbour ; and, being the senior officer, took the command. From this day to the fourteenth, nothing material occurred, the enemy being employed in cannonading the American batteries, and drawing closer their lines of circumvallation. At length, on the evening of that day, an unusual degree of activity being observed in the British camp, it was conjectured that an assault would be attempted ; and preparations were therefore made to receive it. At two in the morning of the 15th, the British troops moved from their intrenchments, in three columns ; the right under colonel Fischer, the centre and left under colonels Drummond and Scott. The approach of the right column was soon perceived on the American left, which was defended by the 21st regiment, and Towson's artillery, between whom and the enemy only a line of loose brush intervened. The column was permitted to approach within a short distance, when so destructive a fire was opened upon it, that it fell back in confusion. The attempt was four times renewed, with no greater success ; and the enemy at last broke, and fled to the encampment.

In the mean time, the left and centre columns had advanced at the same moment to the assault. The former were received by the 9th regiment, the artillery of captain Douglass, and two companies of volunteers, of New York and Pennsylvania, and retreated after the first fire. The efforts of the centre column, however, were more steady and successful. Being covered in a great measure by a ravine, they suddenly emerged, and placing scaling ladders to the wall, ascended the parapet ; and, after a sanguinary struggle, in which they were twice repulsed, succeeded, for a short time, in establishing themselves in the bastion. At this moment, an explosion took place under the platform, which destroyed great numbers of both armies, and caused the sudden and confused flight of the enemy, whose numbers were thinned in their retreat by the American artillery.

In this sanguinary and protracted contest, which continued until after day-light, the British troops suffered very severely.

According to the official report of their commander, fifty-seven were killed, including colonels Scott and Drummond, the leaders of the left and centre columns, three hundred and nineteen wounded, and five hundred and thirty-nine missing, of whom about two hundred were taken prisoners. The American loss amounted to but eighty-four, in killed, wounded, and missing. Among the killed, however, were captain Williams and lieutenant M'Donough, of the artillery, both officers of great promise.

After this repulse, the British troops lay comparatively inactive, for a considerable period. A cannonading was, indeed, kept up on both sides, without material consequences. By the bursting of a shell, general Gaines received a wound that obliged him to retire from the command, which then devolved on general Ripley, and was retained by him until the 2d of September, when general Brown, having recovered from his wounds, resumed it.

The batteries of the enemy began now to appear every day more formidable; fresh troops were constantly arriving; and every thing indicated an unfavourable destiny for the garrison of fort Erie. Considerable anxiety was consequently excited in the public mind for the fate of these brave men. Reinforcements were, however, on the march from Plattsburg, which was itself menaced by sir George Prevost. The fire from the batteries continuing to be very severe, general Brown resolved upon a sortie, for the purpose of effecting their destruction. The British force consisted of three brigades, of about fifteen hundred men each, one of which was alternately stationed at the batteries, while the other two remained at the camp, two miles distant. The object proposed in the sortie was the destruction of the cannon, and the defeat or capture of the brigade on duty, before the arrival of the reserve. The 17th of September was fixed upon for this enterprise. At noon of that day, the troops moved out of the fort, in two divisions. The left, commanded by general Porter, and consisting of the riflemen and Indians under colonel Gibson, and two columns, one under general Davis, the other under colonel Wood, proceeded, by a road nearly opened through the forest, to the

enemy's right. The right division, under general Miller, was stationed in the ravine, between the fort and the hostile lines, with directions not to advance until general Porter should have reached the enemy's flank.

The left division advanced with so much celerity, that the enemy were completely surprised. A severe conflict, however, ensued, which, in thirty minutes, ended in the capture of the batteries and garrison, with the loss of colonels Gibson and Wood, both of whom fell gallantly fighting at the head of their columns. The noise of the firing reaching the division of general Miller, he immediately moved forward, and succeeded, after a close and desperate contest, in carrying the batteries opposed to him, and took possession of their block-houses. He was now joined by general Ripley, who took the command; and the remaining battery having been captured, the troops were employed in destroying the enemy's works, and spiking his cannon. At this moment, general Ripley received a severe wound, and the command devolved upon general Miller. The object of the sortie being accomplished, the whole body returned to the fort, bringing with them three hundred and eighty prisoners, and having destroyed the fruits of forty-seven days' labour.

From the spirited resistance of the enemy, the loss sustained by the assailants was, as may be supposed, severe. Of killed, the number amounted to seventy-nine, among whom was general Davis, of the New York militia; two hundred and thirty-two were wounded, and two hundred and sixteen missing. The official report of the British commander acknowledged a loss of six hundred and nine men; one hundred and fifteen of whom were killed, one hundred and seventy-eight wounded, and three hundred and sixteen prisoners. The enemy claimed a victory: but their retreat, which took place a few days afterwards, palpably contradicted this pretension.

The reinforcements from Plattsburg, amounting to nearly five thousand men, which had taken a circuitous route, and were delayed a considerable time, arrived, on the 9th of October, at fort Erie; and the command of the whole force then devolved upon major-general Izard. The enemy having fallen back

behind the Chippewa, that officer moved from fort Erie, on the 14th, with the design of bringing him to action. On the 18th, general Bissell was despatched, with about nine hundred men, to destroy the enemy's stores at Lyon's creek, which service he executed, after a sharp contest with a detachment from the enemy's army, of about twelve hundred men, under the marquis of Tweedale, which he succeeded in repulsing. The army of general Izard had, in the mean time, advanced towards Chippewa, where it found the enemy strongly posted in an intrenched camp, from which various attempts were made to entice him, without success. The season being now far advanced, it was determined to withdraw the army to the American shore. Fort Erie being therefore destroyed, general Izard evacuated the Canadian territory, and distributed his troops at the posts of Buffalo, Black Rock, and Batavia: and thus terminated the third and last invasion of the peninsula by the American forces.

On the north-western frontier, subsequently to the resignation of general Harrison, no operations of material importance were undertaken. The enterprising spirit of the western militia led them into frequent incursions into the enemy's territory, which generally terminated in a manner highly creditable to their bravery. Early in the spring of 1814, an engagement took place on the Thames, between a party of about one hundred and sixty men, under captain Holmes, and a far superior force of the enemy, in which great valour was displayed on both sides; and, after an engagement of an hour's duration, the British troops retreated. Subsequently to this event, an attempt was made to recover the post of Mackinaw, now the only one remaining of the British conquests. The enterprise was undertaken by lieutenant-colonel Croghan, jointly with commodore Sinclair, who then commanded the flotilla upon lake Erie. A landing was effected upon the island: but the strength of the place, and the force of the enemy, were found to be so great, that the troops re-embarked, with considerable loss. Major Holmes, and several other distinguished officers were killed in this unfortunate enterprise. Shortly afterwards, two of the American schooners were captured by boarding,

with great slaughter. The operations on this frontier were closed by a well-conducted incursion of about eight hundred volunteers from Kentucky and Ohio, under general M'Arthur, who marched from Detroit to the river Thames; and, after dispersing the militia, destroying the public stores, and capturing a number of prisoners, returned with the loss of only one man.

CHAPTER LV.

Naval events—Cruise of commodore Rodgers—Of captain Porter—Capture of the Essex—Of the Epervier—Of the Reindeer—Of the Avon—Constitution captures two sloops of war—Frigate President taken by a British squadron—Capture of the Penguin.

THE ocean, upon whose bosom the first victories of the late war were obtained by the United States, continued to be the theatre of exploits of no less importance, by which its closing scenes were adorned. Distinguished equally by their courage, their enterprise, and their skill, the American seamen traversed the most remote seas, and raised in every quarter of the globe, the reputation of their country. Vanquishing an equal, or eluding the vigilance of a superior force, they added to the laurels of victory, that fame which is justly due to a profound acquaintance with the science and practice of their profession, and successfully vindicated their character and rights, in support of which, the war had been, in a great measure, undertaken.

Among those by whom the enterprise of the American navy was chiefly evinced, was commodore Rodgers, whose frequent cruises we have heretofore recorded. Although unsuccessful in his endeavours to bring to action an enemy of equal force, he neglected no means of advancing the interest and reputation of his country. In the month of February, 1814, he returned to the United States, from a cruise of seventy-five days, during which he captured many British merchant vessels, and by superior skill eluded the squadrons cruising in search of him. Off Sandy Hook, on his return, he descried three vessels of war, one of which was the Plantagenet of seventy-four guns. Believing that he would not be able to escape, he prepared his ship for action, and lay to, for the

latter to approach. She, however, declined an engagement, and commodore Rodgers pursued his course to New York. The British commander subsequently alleged the mutiny of his crew, as the reason for not engaging the President.

The cruise of captain Porter in the frigate *Essex*, which was terminated about this period, was remarkable for its uncommon duration, as well as for the adventurous spirit in which it was conducted. As early as the month of October, 1812, that vessel sailed from the Delaware, under orders to join the squadron of commodore Bainbridge, off the coast of South America. After touching at the Cape de Verds, and capturing two English vessels, captain Porter arrived on the coast of Brazil at the end of November, and not being able to effect a junction with the *Constitution* and *Hornet*, determined to proceed round Cape Horn to the Pacific Ocean. Here he expected to harass the valuable commerce of the enemy in that quarter, and at the same time secure a supply of provisions and water, without the danger of capture or blockade. He proceeded immediately to put this design in execution, and doubled Cape Horn, amidst tremendous storms, about the middle of February. On the 15th of March, he put into the port of Valparaiso, where he was received with the most pointed attention, and having obtained the necessary supplies, proceeded on his cruise, down the coast of Chili, whence he sailed to the Gallipagos Islands. In the vicinity of these isles the *Essex* cruised for upwards of six months, during which she totally destroyed that valuable part of the enemy's commerce which was carried on in those seas. The whole of the British vessels at that time in the Pacific, were captured, to the number of twelve, carrying in all one hundred and seven guns, and three hundred and two men. Their value was estimated at two and a half millions of dollars. Three of these vessels were sent to Valparaiso; two given up to the prisoners; and three sent to the United States.

With the remainder, one of which he had converted into a vessel of war, mounting twenty guns, and named the *Essex Junior*, captain Porter sailed from the Gallipagos, in the month of October, for the Washington islands, a group of the

Marquesas, where he hoped to be able to repair and provision his frigate. At Nooakeva, one of this group, which he called Madison's island, he arrived shortly afterwards, and met with a very hospitable reception from the natives, and a situation in every respect conformable to his desires. Hostilities, unfortunately, however, prevailed at this period between the tribe among whom he landed, and a race inhabiting a neighbouring valley. His situation, he conceived, required him to take part with the former; who, by his assistance, defeated their enemies, and evinced their gratitude by a plentiful supply of provisions. Shortly after this event, the conduct of the Typees, one of the most warlike tribes of the island, reduced him to the necessity of commencing hostilities against them. Two expeditions were undertaken, the first of which partially failed, from the strong barriers opposed by their enemy: but in the second, after a desperate resistance, he succeeded in driving them out of the valley. The destruction of their villages, which ensued, is deeply to be regretted, as an act of unnecessary severity, which it does not appear that the circumstances of the case required. Having completely refitted the *Essex*, captain Porter sailed for Valparaiso, on the 12th of December, in company with the *Essex Junior*, leaving the prizes at Madison's island, in charge of an officer.

The intelligence of his exploits had at length caused the enemy to send a force into the Pacific in search of him. Soon after his arrival at Valparaiso, the *Phœbe*, a British frigate of thirty-eight guns, and a sloop of war, appeared off the port, having been, as we have stated, fitted out expressly to meet the *Essex*. They entered the harbour to obtain provisions, and having effected this purpose, again stood out, and cruised off the port about six weeks. Their united force was much greater than that of captain Porter, the *Essex Junior* being only a store ship of little utility in action. At length, on the 28th of March, the *Essex* made an attempt to get to sea, with a favourable wind. The enemy was close to the shore, and captain Porter expected to be able to pass to windward of him. Unfortunately, however, in rounding the point, the American vessel was struck by a squall, which carried away her main

topmast. Escape to sea was therefore rendered impracticable; and as it was equally difficult to reach the harbour, captain Porter ran into a small bay, and anchored within pistol shot of the shore. In this situation it was to have been expected that the ordinary rules of warfare, which forbid an attack upon an enemy lying within a neutral territory, would have been observed. It was, nevertheless, soon perceived, that captain Hillyar was determined to avail himself of the opportunity offered, without regard to the rights of sovereignty of the local government. The Essex was, therefore, prepared for action with all possible despatch; but before a spring could be put upon her cable, the attack was commenced. The British commander, desirous to capture the Essex with as little loss to himself as possible, placed his frigate, the *Phœbe*, under her stern, while the *Cherub* took a position on her bows. The latter soon finding the fire of the Essex too warm, bore up, and ran also under her stern, where both ships kept up a heavy and well directed fire.

To this formidable battery, captain Porter could oppose nothing but three long twelve pounders, being unable to bring his broadside to bear upon them. With this disproportioned force, the action continued for a considerable period, when captain Porter, finding his crew falling fast around him, cut his cable, and ran down on the enemy, with the intention of laying the *Phœbe* on board. For a short time, a close and sanguinary action ensued; but the superior equipment of the British frigate enabling her to choose her distance, she edged off, and continued so heavy a fire from her long guns, the Essex having chiefly carronades, that captain Porter determined to run his ship ashore. He was, however, disappointed in this hope by the wind setting off the land; and after an unequal and hopeless contest of three hours, was compelled to give the painful order to strike the colours.

The slaughter on board the Essex, in this sanguinary engagement, was, as might be supposed, unusually great. Of two hundred and fifty-five, the number of the crew at the commencement of the action, fifty-eight were killed, sixty-six wounded, and thirty-one missing, most of whom escaped to

the shore by swimming. When she surrendered, her decks were covered with the dead and wounded ; and a scene, shocking to humanity, was presented to the eyes of the victors. Both of the enemy's vessels, as well as the *Essex*, were so much crippled, and wounded in their hulls, that it was with difficulty they were able to reach the port of Valparaiso. The loss of the enemy was five killed, and ten wounded. After remaining a short time at that port, captain Porter and the survivors of his crew were paroled, and permitted to return home in the *Essex Junior*, having experienced the greatest kindness and attention from captain Hillyar.

From this scene of defeat and bloodshed, we turn with pleasure to one in which the arms of the republic were distinguished by a victory over an equal force. The sloop of war *Peacock*, of eighteen guns, commanded by captain Warrington, sailed on a cruise from St. Mary's, on the southern coast, in the month of April. On the 29th of that month, she fell in with, and, after an action of forty-two minutes, captured, the British brig of war *Epervier*, of a like number of guns, and one hundred and twenty-eight men, of whom eight were killed, and fifteen wounded. The *Peacock* was deprived of the use of her fore sail and fore topsail, early in the action ; but received no other injury, and lost only one man killed, and two wounded. The prize had on board one hundred and twenty thousand dollars in specie, which was transferred to the *Peacock*, and both vessels succeeded in effecting their escape from a number of the enemy's ships by which they were chased, and arrived safe in the United States.

About this period, the sloop of war *Wasp*, commanded by captain Blakely, of the same force as the *Peacock*, sailed from Portsmouth, on her first cruise, having been recently launched. After capturing seven merchantmen, she encountered, on the 28th of June, the British brig of war *Reindeer*, of nineteen guns, and one hundred and eighteen men, commanded by captain Manners. After a series of manœuvres on the part of the latter, by which a close action was prevented for a long time, a warm engagement commenced, which was continued with great spirit on both sides, upwards of two hours, when

the enemy several times attempted to board, but was as often repelled. The crew of the *Wasp* now boarded with great ardour, and in a few minutes resistance ceased; and the British flag was hauled down. The rigging and sails of the *Wasp* were considerably injured, and she received several shot in her hull. Her loss of men, too, was great, owing to the proximity of the two vessels, and the smoothness of the sea. It amounted to twenty-one wounded, and five killed. The *Reindeer* was so much injured, that it was found necessary to set her on fire. Twenty-five of her crew, including her captain, were killed, and forty-two wounded.

Soon after this action, captain Blakely put into the port of L'Orient, in France, to provide for the wounded of both crews. From this place he again sailed on the 27th of August. About the 1st of September, a fleet of merchantmen, under convoy of a seventy-four gun ship, was discovered. One of them was taken, and after removing her cargo, was set on fire. In the evening of the same day, two sail were discovered, to one of which, chase was given. The *Wasp* soon approached her, and at half past nine, an action commenced, which was continued for forty-five minutes, when the enemy ceased firing, and signified that he had surrendered, and was in a sinking state. While in the act of lowering a boat to take possession, another vessel was discovered at a short distance, and soon afterwards several others were seen. The *Wasp* was therefore compelled to abandon her prize, which subsequently proved to be the sloop of war *Avon*, captain Arbuthnot, of twenty guns. She lost in the action, eight men killed, and thirty-one wounded, and sunk immediately after the removal of her crew. Two men only of the *Wasp* were killed, and one wounded.

The damage sustained in this action being soon repaired, captain Blakely continued his cruise, and on the 23d of September, captured the British brig *Atalanta*, of eight guns, which he sent into the United States. From this period no tidings ever reached the republic of this gallant ship. Whether she foundered in darkness and tempest, or perished in a conflict with an enemy, without an eye to witness the fortitude

and devotion of her crew, has never been ascertained. Circumstances make it believed, that the former is the most probable supposition: but whatever may have been the fate of these brave and generous seamen, they left behind a character of the most exalted kind, as was evinced by the extreme reluctance with which the last hope of their existence was abandoned, and by the deep and sincere grief of the whole nation.

Towards the close of the war, the Constitution, then commanded by captain Charles Stewart, again signalized herself by the capture of a superior force of the enemy. This celebrated ship, memorable for her two preceding victories, sailed from Boston on the 17th of December, 1814, on a cruise. On the 20th of February, about noon, she fell in with two men of war, to both of which she gave chase. At six P. M. her superior sailing brought her ahead of the sternmost, upon whose quarter she immediately ranged, the other vessel taking a position on the bow of the Constitution. The fire of the latter was returned with spirit for about fifteen minutes, when that of the enemy slackened, and the great density of the smoke induced captain Stewart to discontinue his fire also. On its clearing away, the action was again renewed; and the headmost of the vessels endeavoured to make her escape; to prevent which, two heavy broadsides were poured into her by the Constitution, which then ranged up on the quarter of the larger vessel, and was about to salute her with a broadside, when she struck her colours, and surrendered, at forty minutes past six. She proved to be the frigate Cyane, of thirty-four guns, and one hundred and eighty men. After taking possession of this vessel, the Constitution stood for her consort, the sloop of war Levant, of twenty-one guns, and one hundred and fifty-six men, which, after several efforts to escape, and receiving considerable injury, also yielded: and at ten P. M. captain Stewart took possession of her. Thirty-nine of her crew were killed or wounded during the action. On board the Cyane, twelve were killed, and twenty-six wounded. The loss of the Americans was trifling in comparison; three only being killed, and twelve wounded.

When the superior force of the enemy, and his advantages, arising from a division of it, are considered, this action cannot be deemed inferior in brilliancy to any that had previously occurred. The united force of the enemy amounted to fifty-five guns, forty of which were thirty-two pound carronades, while the Constitution carried only thirty-two twenty-four pounders, and twenty thirty-two pound carronades, in all, fifty-two guns. With this disparity of force, the latter disabled her antagonists in the short space of forty minutes, and thus terminated her career, with a degree of splendour equal to that with which it had been commenced. On the 10th of March, captain Stewart entered the harbour of Port Prayo, with his two prizes; and on the succeeding day, three large vessels were discovered off the port. From the little respect previously paid by the enemy to neutral waters, captain Stewart determined to put to sea. The three vessels immediately made sail, and after a long and close pursuit, the Constitution and Cyane succeeded in escaping, and arrived safe in the United States. The Levant was compelled to put back into the Portuguese harbour, and was there captured, in defiance of the laws of nations, by the enemy's squadron, which was composed of two sixty gun ships and a frigate.

About the same period, the enemy captured the frigate President, without, however, any loss of honour to her brave officers and crew. The blockade of the United States and Macedonian, in the harbour of New London, which we have narrated in a preceding chapter, having continued until there was no longer any prospect of escape, commodore Decatur, with the crew of the former, was transferred to the frigate President, then lying in the harbour of New York, and the crew of the Macedonian were, with their commander, ordered to lake Ontario. The destruction of the enemy's commerce in the Indian seas, was an object which the government had long been desirous of effecting. A squadron was now ordered to be fitted out, to consist of the President and two sloops of war, the Peacock and Hornet, with a store ship. These vessels were accordingly prepared for the service, but

as the port of New York was then blockaded by a British squadron of greatly superior force, it was deemed proper to leave it singly, and to appoint a place of general rendezvous. The President, being the first in a state for sea, sailed from New York on the evening of the 14th of January, 1815. Through the negligence of the pilot, she unfortunately struck on the bar, in going out, by which means her rudder braces were broken, and her trim for sailing injured. From the strong westerly wind then blowing, her return to port was prevented, and she was compelled to put to sea. At day-light, on the succeeding morning, the enemy's squadron, consisting of the *Majestic*, of seventy guns, the *Endymion*, *Pomona*, and *Tenedos*, of fifty guns each, were discovered in chase. By noon, commodore Decatur found he had outsailed the *Majestic*; but the *Endymion* continued to gain considerably upon him. Every exertion was now made to escape, by throwing overboard the anchors and other heavy articles, but without effect. At five in the afternoon, the *Endymion* obtained a position on his starboard quarter, and commenced a destructive fire upon his sails and rigging. In this situation he was compelled to bear up, and engage her, in the hope of disabling her before the remaining vessels of the squadron could arrive. A warm action was then continued for two hours and a half, which ended in the enemy's vessel dropping astern, being completely dismantled, and her fire having ceased. The President now made sail again, in the hope of escaping; but the remainder of the squadron soon afterwards coming up, her brave commander was compelled to strike his colours, with the loss of twenty-four killed, and fifty-five wounded. The *Endymion* suffered severely from the fire of the President, and did not rejoin the squadron until three hours after her surrender. Notwithstanding this fact, and her palpable inability to continue the action, it was pretended by many of the British writers, that the President had been captured by the *Endymion* alone, and some unworthy means were made use of by the officers of the squadron, to continue this delusion. The sword of commodore Decatur was, however, delivered to the captain of the *Majestic*: and it was admitted by that officer, in

his official report, that the President had been captured by a force fourfold her superior.

The remainder of the squadron of American vessels, which, with the President, were destined for the Indian seas, sailed from New York, shortly afterwards, without being acquainted with her fate. On the 23d of January, they parted company, and the Hornet sloop of war directed her course towards Tristan da Cunha, the first place of rendezvous. While at anchor off this place, on the 23d of March, a vessel was discovered, for which captain Biddle immediately made sail. Perceiving her to bear towards him, he lay to, and at forty minutes past one, an engagement commenced between the two vessels, by a broadside from the Hornet. The action was sustained with great spirit for fifteen minutes, when the enemy approached, with the apparent intention of boarding: but finding the Hornet prepared to receive him, he desisted from the attempt, and in a few minutes surrendered. The prize proved to be the British brig of war Penguin, of nineteen guns, and one hundred and thirty-two men, forty-two of whom were killed or wounded. Her commander, captain Dickinson, was among the former. So heavy and well-directed was the fire of the Hornet, that her opponent lost her foremast and bowsprit, and was otherwise so much injured, that after taking out the prisoners, captain Biddle destroyed her the next day. The Hornet received no material injury. One man only of her crew was killed, and eleven wounded.

Shortly after this event, the Hornet was joined by the Peacock; but was again separated from her by the appearance of a seventy-four gun ship, by which the former was chased. With great difficulty, captain Biddle succeeded in effecting his escape, by throwing his guns overboard, and otherwise lightening his ship; and on his arrival at St. Salvador, received the news of peace.

By the capture of the Penguin, captain Biddle had the honour of closing the war on the ocean, with a victory no less brilliant than those by which it had been commenced. Never, perhaps, in so short a space of time, had the character and views of a nation been so totally changed, as were those of

the republic, by the victories of its navy. From the possession of a few frigates, most of which were unfit for service, to the creation of a small but efficient navy, no less formidable for the skill and valour of its seamen, than for its comparative numerical amount, the transition was immediate. At the commencement of the war, a general indifference to the possession of a maritime force, pervaded the public. The disposition of the whole people now seemed altered. The great capacity of the republic for naval warfare was acknowledged: and the unanimous voice of the community called for an increase of the size and number of its vessels. The foundation was thus laid, of a navy, which is destined, at no distant period, to contend successfully for the uncontrolled use of the great highway of nations, which the republic appeared formerly to enjoy by the indulgence only, of a nation whose early victories and overwhelming superiority of force, have for a long time made her the ruler of the ocean.

CHAPTER LVI.

War on the coast—Capture of Eastport—Defence of Stonington—Capture of Castine—Destruction of the John Adams—Incursions on the shores of the Chesapeake—Capture of Washington—The enemy repulsed at Baltimore.

DURING the early part of the war, the states eastward of the Delaware endured few of the more oppressive evils of hostility, whatever commercial inconveniences that event may have subjected them to. A marked distinction was made by the British government, or its commanders, between those two sections of the republic, in their offensive operations. While the unfortunate inhabitants of the shores of the Chesapeake and of North Carolina were suffering from the outrages of a licentious army, those of the eastern coast pursued their ordinary occupations without hindrance or molestation. A still more marked preference was shown by the enemy to the states east of Rhode Island, in their orders of blockade, which, as we have had occasion to observe, left open to neutral commerce the ports of New England, the inhabitants of which section had opposed the war with great energy and zeal. This invidious system, which was but too well countenanced by the public acts and declarations of these states, continued until the spring of the year 1814, when a new line of conduct was adopted by the British government. The whole of the coast of the United States, from its southern to its most eastern boundary, was declared to be in a state of blockade, and a force stationed along the same, for the purpose of maintaining it.

This step was soon afterwards followed by another, still more plainly at variance with the previous declarations and conduct of the British government. Shortly after the decla-

ration of war, the governor of Nova Scotia issued a proclamation, directing the inhabitants of that province to abstain from any acts of warfare against those residing on the boundary line of the United States, permitting them to continue their coasting trade, and ordering, in particular, that respect should be paid to the persons and property of the inhabitants of Eastport. This town, which is situated on Moose island, in the bay of Passamaquoddy, had been held by the United States since the war of independence, although never definitively allotted to them. The island was claimed by both parties; and, after two years of neutrality, the British government determined to take possession of it. Accordingly, on the 11th of July, sir Thomas Hardy landed a powerful force, and, having occupied Eastport, declared all the country on the eastern shore of the bay to belong to his Britannic majesty, and required the inhabitants to take an oath of allegiance to his government. With this order the greater part of the people complied: and the island remained in the possession of the British troops until the conclusion of the war.

From this place the British admiral soon afterwards sailed for the coast of Connecticut, with a part of his squadron. On the 9th of August, he appeared before the village of Stonington, in that state, with a ship of seventy-four guns, a frigate, a bomb-ship, and a gun-brig; and immediately sent in a flag, with a laconic note to the magistrates, giving one hour for the removal of the unoffending inhabitants. Three hours, however, elapsed, before any attack was made, during which time the citizens were eagerly employed in collecting means of defence. The militia of the vicinity were hastily assembled at a small breast-work, four feet in height, with a battery of two eighteen pounders and one four pounder. The enemy commenced his fire in the evening, and continued it until midnight, without the slightest injury to the town or its inhabitants. At dawn next day, several barges took a position at the east side of the town, and commenced throwing rockets and shells. One of the eighteen pounders was removed to this point, and opened so heavy a fire upon the barges and the gun-brig, as to compel them to return. The bombardment was renewed on

the succeeding day, during which several flags passed between the British commodore and the magistrates of the town. The former required the removal of the family of the British consul to the squadron, and an assurance that no torpedoes should be fitted out from the place. These terms not being complied with, the frigate and seventy-four gun ship, with the bomb vessel, took their stations near the town, at sun-rise on the 12th, and continued a heavy and unremitted bombardment until noon, when they hauled off to their former anchorage, and, on the 13th, weighed anchor, and departed. In this unprovoked attack upon an unoffending village, the result of which was as little creditable to the assailants as was the design, about forty buildings were injured; but no one of the inhabitants or of the militia killed. An immense number of cannon-ball and shells were collected, and long remained a striking proof of the difference between the threats and the performance of the British commander.

About this period, also, several predatory incursions were made upon the eastern coast; and it is gratifying to us to be able to state, that the general conduct of the officers commanding was marked by a much more liberal spirit than had been displayed in the expeditions on the Chesapeake. A more extended plan of conquest was, however, soon manifested by the enemy. Elated by the result of recent events in Europe, the British government conceived the design of taking possession of that part of the District of Maine which lies east of the Penobscot, with the view of retaining it at the treaty of peace. Towards the end of August, an expedition sailed from Halifax for this purpose, the land forces being commanded by governor Sherbrooke, and the vessels by admiral Griffith. On the 1st of September, the fleet arrived at Castine, of which the troops took possession without opposition, the small garrison stationed there having previously abandoned it. The next day, several of the vessels, with ten barges and about one thousand men, were despatched up the river, for the purpose of capturing the frigate *John Adams*, commanded by captain Morris, which had recently entered the Penobscot, after a successful cruise, and lay at Hampden, about thirty-five miles

from Castine. Apprized of the approach of the enemy, captain Morris had landed her guns, and erected some batteries on the neighbouring heights for her protection. The militia of the vicinity, to the number of about three hundred and fifty, were assembled, and posted on the flanks of the seamen, who were drawn up in front of the village. On the approach of the enemy, the former immediately fled; and the crew of the John Adams being thus left without support, their commander was compelled to order them to retire, which was done in good order: and, the frigate being previously blown up, the whole body effected its retreat. A number of the militia, however, and some cannon, fell into the hands of the enemy, whose loss was estimated by captain Morris at eight killed, and about forty wounded.

In furtherance of the plan of conquering the territory between the Penobscot and the Passamaquoddy, a strong force was sent from Castine, to take possession of Machias, a seaport within that district. On the 9th of September, the detachment arrived at this place, which surrendered without resistance. While the British commander was making preparations to advance into the interior, he received a letter from brigadier-general Brewer, who commanded the militia of the district, in which he engaged that they should not serve against his Britannic majesty during the war. This disgraceful offer being confirmed by the principal officers and citizens, the whole territory passed under the dominion of the British government, without an attempt at resistance; and remained in possession of its forces until the conclusion of the war, without any effort being made to recover it by the state of Massachusetts, of which it formed a part.

The operations of the powerful armies which the European peace placed at the disposal of the British government, were not confined to the eastern coast, or the northern frontier. The shores of the Chesapeake, which had been the theatre of so many incursions in the preceding part of the war, witnessed events of much greater magnitude and importance, during the summer of this year. The defeat of the American army, assembled for the defence of the capital, the capture and de-

struction of that city, and the repulse of the British troops from Baltimore, were occurrences which will long occupy a conspicuous place in the American annals. If the first event was discreditable to the government, and calculated to throw a shade over the reputation of the republic, the last, in a great degree, effaced the stigma which had attached to the militia, and revived the spirits of the nation from the state of dependency into which they had sunk.

In the early part of the year 1814, the operations of admiral Cockburn in the Chesapeake were confined to slight and temporary incursions into the neighbouring country, the plunder of warehouses, and capture of slaves. Possessing the power of removing with facility from place to place, he was able to land, at short intervals, the same troops at points remote from each other, while it was found impracticable to provide sufficient means of defence for all. The only protection that could be considered as at all efficient, was a flotilla of gun-boats and smaller vessels, under the command of commodore Barney. In the beginning of June, several skirmishes took place between this force and part of the enemy's squadron, which eventuated in the flotilla being compelled, by superior numbers, to take refuge in the Patuxent, where it was blockaded by part of the enemy's vessels.

The British force, at this period, was not of a nature to excite apprehensions of an attack upon either of the cities in the vicinity. But about the middle of the month of June, the intelligence of the conclusion of the European war having been received, which placed at the disposal of the enemy so many veteran troops, the necessity of having a force in readiness for the defence of Washington and Baltimore became obvious. It was determined, therefore, by the administration, that a new military district, to embrace the state of Maryland, the district of Columbia, and part of the state of Virginia, should be created, and placed under the command of general Winder, who had recently returned from captivity. On the 4th of July, also, a requisition was made by the president upon the states, pursuant to law, for a corps of ninety-three thousand five hundred militia, who were to be detached, and held in readiness for service. Of

these, two thousand from the state of Virginia, five thousand from Pennsylvania, six thousand, the quota of Maryland, and two thousand, the number of the militia of the district of Columbia, were, with about one thousand regulars, placed at the disposition of the commanding general. A formidable force, of sixteen thousand men, was thus apparently created, with which, had they been duly assembled, the honour of the republic might have been saved from a disgraceful stain. Of this parade of numbers, however, hardly more than one-fourth was assembled. Many circumstances combined to produce this unfortunate result. On the 17th of July, general Winder was authorized by the secretary of war to call into actual service five thousand men from Pennsylvania, and two thousand from Virginia. The letter containing this authority did not reach him until the 8th of August, too late for any useful purpose. The deranged state of the militia system of Pennsylvania likewise subsequently prevented a prompt compliance with the draft on them. That on the state of Maryland produced at first little more benefit, as one-half of the militia joined the army only a short time before the engagement. It is plain, therefore, that the force collected by general Winder was inadequate for the defence of the extensive line of coast open to the enemy's incursions. Had the call for the militia been made at an earlier period, and a camp of instruction established at a central point between the cities of Baltimore and Washington, had the points of defence of the latter place been duly fortified, we should, in all probability, have had the pleasing task of recording the defeat and capture of the invaders, instead of the painful duty of narrating their triumphs and devastation.

In the beginning of August, the enemy's fleet in the Chesapeake was augmented by the arrival of admiral Cochrane, and shortly afterwards of admiral Malcolm, with a large force of vessels of war, and several transports, containing a considerable number of troops. It was now evident that some important measure was in agitation; and the militia of the district of Columbia, and of Baltimore, were immediately ordered out. The better to mask their intentions, the enemy divided

his force into three parts. A number of frigates and bomb vessels were ordered to the Potomac, to force their passage up that river; another division, under sir Peter Parker, was despatched higher up the Chesapeake, to threaten Baltimore; while the main body ascended the Patuxent to the town of Benedict, where the army was landed on the 19th of August, to the number of about five thousand men, altogether infantry.

In the mean time, general Winder had collected about three thousand men, one-half of whom were militia and volunteers of the district of Columbia, who were stationed at the Wood Yard, fourteen miles from the city of Washington. After making the necessary arrangements, general Ross, who commanded the British army, moved from Benedict on the 20th, and advanced to Nottingham on the succeeding day, while the launches, and other small vessels of the squadron, under admiral Cockburn, passed up the river, keeping on the right flank of the troops. On the 22d, general Ross arrived at Marlborough; and on the same day the flotilla of commodore Barney was destroyed by a party of his sailors, left for that purpose, in case of an impending attack from an overwhelming force, the remainder having joined the army of general Winder. The latter officer had, in the mean time, detached major Peter, with some field pieces, to skirmish with the enemy, who, after a slight contest, obliged him to retreat, and lay, on the night of the 23d, five miles in advance of Marlborough, and within seven miles of the encampment of general Winder. Apprehensive of a night attack, the latter retired from this place, intending to choose a position nearer to Washington, where his forces might be concentrated.

Reinforcements were in the mean time received from Baltimore, which arrived in a jaded and exhausted state, in consequence of the rapidity of their movements. They encamped, on the night of the 23d, near Bladensburg, to the number of two thousand one hundred men, including two companies of artillery, the whole commanded by general Stansbury. Before day on the 24th, information being received of the retreat of general Winder, they broke up their encampment, and retired beyond Bladensburg. On the march, orders were

received from general Winder to retrace their steps, and give the enemy battle at that place. General Stansbury accordingly having marched back his troops, took a position in a field, on the left of the road leading from Washington to Bladensburg. His artillery, consisting of six six pounders, was posted behind a breast-work, near the bridge. Shortly after this arrangement, general Winder brought up his main body, which formed a second line, in the rear of general Stansbury's command; while colonel Beall's militia, to the number of about eight hundred, were posted on the right of the road. The heavy artillery, under commodore Barney, was placed on an eminence commanding it.

While these dispositions were making, the president of the United States, and several of the chief officers of the government, were present on the ground; but withdrew, shortly after the engagement commenced. The second line had scarcely been formed, when the enemy's column appeared in sight, and immediately moved down towards the bridge. The artillery now opened a severe fire, which for a short time threw them into confusion: but, being rallied by their officers, they again advanced; and having passed the bridge, extended their line, and compelled the artillery and riflemen to fall back with the loss of one of their pieces. They were, however, rallied, and formed again, on the left of the Baltimore militia, upon which body the enemy continued to advance, throwing rockets from their artillery. Unable to withstand this assault, two of the regiments broke, and fled in confusion; and the third, apprehensive of being out-flanked, was ordered to fall back, which it did in great disorder. On the right, a detachment sent from the Annapolis militia, to check the advance of the enemy, having been driven back upon the main body, the enemy, who was now moving forward on the turnpike road, was suddenly exposed to a heavy fire from the artillery of commodore Barney; and, after several attempts to advance, was repulsed with great loss. Driven from the road, he now moved to the right; and, having put to flight the militia of colonel Beall, he succeeded in out-flanking the seamen and marines, and compelled them to retreat, with the loss of

their pieces, and of their commander, commodore Barney, who, after a display of great skill and gallantry, was taken prisoner.

The militia of the district and the regulars still continued firm ; but being also out-flanked, they were ordered to retreat towards the city. After retiring a short distance, they were ordered to collect, and form on the heights, near the capitol. Here they were joined by a fresh body of militia from Virginia ; and here might the last stand have been made for the defence of the capital of the republic. Such was the panic, however, of the Baltimore militia,* that, instead of retreating towards Washington, they had scattered in every direction ; and it was found impossible to collect any considerable number. The militia of the district was plainly inadequate to oppose the enemy ; and, to their deep distress, they were compelled to abandon their homes to the mercy of the victors. After a consultation with some of the chief officers of the government, it was determined by general Winder that no further resistance could be made to the occupation of Washington. The remaining militia were therefore ordered to retire through Georgetown, and take post on the heights, in the rear of that place, from which they were ordered to fall back upon Montgomery Court-House. In the course of this retreat, numbers fell off to visit their exposed families, and with the remnant of his army, general Winder reached Montgomery on the ensuing day. In the mean time, general Ross moved on rapidly towards Washington, which he entered at the head of his advance about eight o'clock in the evening, leaving his main body at a short distance.

Thus was this important city, the metropolis of the United States, and the seat of its government, surrendered to an invading enemy, who, with inferior numbers, had driven before him the army assembled for its defence. That measures of more spirit and energy ought to have been adopted at an earlier period, for the safety of the chief cities of the Union, seems not to admit of a doubt. The intelligence of the close

* See Report of the committee of congress, appointed to inquire into the causes and particulars of the invasion of the city of Washington.

of the European war was received in the United States about the middle of June ; and the consequences upon the interests of America could not fail of being perceived by the administration. The threats of the public writers of England, shortly after that event, plainly pointed out what were meant to be the objects of attack. Instead, therefore, of the indecisive and inefficient course that was adopted, a militia force of double the number of that actually brought out should have been in the field a month previous to the rout of Bladensburg. In the two months that elapsed between the news of the capture of Paris, and the landing of the British troops, abundant time was given for the organization and discipline of an army capable of opposing any force that could be conveniently brought against it from Europe. Of the raw and discordant multitude assembled at Bladensburg, no more could have been expected than was performed. Without discipline or instruction, having been but two days in the field, ignorant of the numbers of general Winder, and of there being any line of support, the Baltimore militia could not be supposed to possess that confidence which goes so far in the success of battles. Had even the whole body been united but a day previous to the engagement, so that its superior force to the enemy could have been known, the result might have borne a different aspect ; and, due time having been given to arrange the order and place of retreat, in case of a defeat, another stand might still have been made on the capitol heights.

It cannot be denied, however, that the defective nature of the systems by which the militia of the different states were governed, operated to prevent their efficiency on this, as well as on other occasions of the war. The important subject of organizing and disciplining this species of force has been found to be attended with so many difficulties, that neither the experience of the war of independence, nor that of the war whose events we are narrating, have yet induced that attention to it which its importance requires. As it at present exists, the militia system of the United States is calculated only to subject the government to enormous expenses, and its citizens to inconveniences of the most serious nature, without affording

that protection, which, under a different organization, a very inferior number could effect.

The entry of the British army into Washington was followed by acts of destruction and conflagration which even the barbarian conquerors of Rome would have blushed to commit. The amelioration and refinement of morals in Europe have gradually deprived war of some of its harshest features, and subjected it, in a great measure, to certain acknowledged rules, the chief of which are founded on the principle of involving in the range of hostilities only those persons or things immediately engaged or occupied in their support. In conformity with these maxims, those whose sex or age incapacitate them from hostile pursuits, defenceless towns, and the works of art, of humanity or religion, have generally escaped the vengeance of the most ruthless conquerors of modern times. It was reserved for the officers of a nation proud of its refinement and attachment to the arts, to set a striking example of the violation of these honourable and enlightened rules. The destruction of the capitol, and the public residence of the president, of the valuable libraries and works of taste with which they were filled, and of many private dwellings, which was perpetrated by direction of the British commanders, and avowed in their official despatches, fixed a stain of the most dishonourable nature upon the character of that nation. Hereafter, when the rapid progress of the republic shall have brought it to an equality of force with the nations of Europe, the inhabitants of Great Britain may experience on their own shores the effects of that deeply-seated hostility, which their cruelties and devastation have fixed in the breasts of the Americans.

Independent of the honour obtained, no substantial benefit accrued to the enemy by the capture of Washington. The public buildings at the navy-yard, with a large frigate, nearly completed, and other vessels, together with a considerable amount of the munitions of war, were set on fire or destroyed previous to their arrival. Having therefore indulged their national animosity in the destruction of the finest specimens of the arts in the republic, the British army retired from Washington, on the evening of the 25th, leaving behind a

number of wounded officers and men, and arrived, on the 29th, without molestation, at Benedict, where they were re-embarked on the following day.

In the mean time, the squadron which had entered the Potomac passed up that river without opposition. Fort Warburton, by which they might have been successfully assailed, was abandoned by its commander, captain Dyson, in a disgraceful manner; and no further obstacle remaining, they reached Alexandria on the 29th of August. The inhabitants of this defenceless town, being at the mercy of the enemy, were compelled to agree to a capitulation, by which all their merchandise and vessels were delivered up to him. Having collected a rich booty by the pillage of this unfortunate town, the squadron descended the river without serious injury, although annoyed by the militia, and detachments of seamen, under commodore Rodgers and captains Perry and Porter.

The remaining expedition, under sir Peter Parker, was not so fortunate as the others. Having ascended the Chesapeake, that officer landed a corps of about two hundred and fifty seamen and marines on the eastern shore, with the hope of surprising a body of militia, to the number of about two hundred, who were encamped near Bellair, under the command of colonel Reed. The Americans were, however, prepared to receive him; and, on the advance of the British column, delivered so galling a fire, as to compel it to press to the right, with a view of gaining the flank of the militia, where it was again repulsed. The cartridges of the Americans being now exhausted, they fell back, for the purpose of obtaining a supply; and the enemy, who had sustained a severe loss, also retreated, carrying with them part of their wounded, among whom was their commander, sir Peter Parker, who died in a few minutes after leaving the field. They lost fourteen killed and twenty-seven wounded. Of the Americans, only three were wounded.

The success of the attack upon Washington encouraged the British commander to undertake an expedition against another city, from which he was, however, destined to meet with a different reception. Baltimore, from its proximity and ex-

posed situation, as well as from the booty that it was supposed might be obtained, became the next object of attack : and no time was lost in assailing it. On the part of the inhabitants, the operations of the enemy were anticipated, and every preparation was made that the shortness of the interval would admit. The whole of the militia of the city were called into the field, which, with a brigade of Virginia volunteers, a few companies from Pennsylvania, and about seven hundred regulars, formed the defence of this important place.

Having re-embarked the British army on board his fleet, admiral Cochrane moved down the Patuxent to the Chesapeake ; and, on the 11th of September, appeared at the mouth of the Patapsco, about fourteen miles from Baltimore. On the succeeding morning, the land forces, to the number of about five thousand men, debarked at North Point, and took up their march for that city. In anticipation of their landing, general Smith, who commanded the whole force of the defenders, detached general Stricker to meet them, with part of the city militia, and the Pennsylvania volunteers, to the number of about three thousand two hundred men, including a small force of cavalry and riflemen, and six four pounders. On the 11th, this body moved towards North Point ; and halted, in the evening, near the head of Bear creek, seven miles from the city. The next morning, information being received of the landing of the enemy, general Stricker took a favourable position, at the junction of two roads leading to Baltimore, resting his right on the creek, and his left on a marsh ; the artillery being posted on the main road. A second line, composed of two regiments, was posted in the rear of the first, and another regiment at the distance of half a mile from the second. Having sent on an advanced corps, to engage the light troops of the enemy, who had taken possession of a farm-house, at the distance of about three miles, he awaited their approach. This detachment had hardly proceeded half a mile, when it fell in with the main body of the enemy ; and a skirmish ensued between the most advanced parties, in which the British commander, general Ross, was killed. The command then devolved upon colonel Brook, who continued to move forward ;

and, about half past three, the action commenced by the discharge of cannon on both sides. Finding the enemy to press upon his left, general Stricker ordered up the second line, to take post in that quarter. This was accomplished with some confusion, arising from the inexperience of the troops; and shortly afterwards, one of the regiments (the 51st) gave way, and fled in great disorder.* This disgraceful example was imitated by one of the battalions of another regiment. The remainder of the line still maintained its ground; but the enemy being now able to out-flank it, general Stricker fell back on his reserve, and subsequently retired to the heights, where general Smith, with the whole of his force, now prepared for an attack.

The enemy, however, did not pursue with alacrity. On the succeeding morning, he appeared in front of the intrenchments on the heights; where, finding them too strong for a direct attack, he manœuvred to the right, with the apparent intention of taking a circuitous route. The brigades of generals Winder and Stricker were therefore disposed so as to baffle this design; and shortly afterwards the British commander concentrated his force, and evinced a disposition to assault the American lines, in the course of the night. The force in the intrenchments, which consisted of two brigades of militia, the seamen and marines under commodore Rodgers, the Pennsylvania volunteers, and two companies of artillery, was therefore prepared to receive him. The night, however, passed away without any attempt: and at day-light, on the succeeding morning, it was discovered that the enemy had retreated. General Winder was immediately detached in pursuit: but, in consequence of the fatigue of the troops, nothing more could be effected than to pick up a few stragglers.

After landing the troops at North Point, the fleet proceeded up the Patapsco to the attack of fort M'Henry, which commands the approach to Baltimore. This post was at the time

* Official Report of general Stricker—Historical Register, Vol. IV. p. 193, Appendix.

garrisoned by about one thousand men, consisting of detachments from the regular infantry, some seamen, and several companies of volunteer artillery from the city. To the right of fort M'Henry, on the Patapsco, two batteries were manned; one, called fort Covington, by lieutenant Newcombe, of the *Guerriere*, with a detachment of sailors; the other, called the City Battery, by lieutenant Webster, of the flotilla. At sunrise, on the 13th, the bombardment commenced from the small vessels, at the distance of about two miles, and was promptly returned by the fort. To the mortification of the garrison, however, they found that their shot fell short of the enemy. Though thus inactive, and exposed to an incessant shower of shells, the troops within the fort remained steadfast at their posts, with a degree of firmness that would have reflected honour on the most experienced veterans. The bursting of a shell, within the south-west bastion, having created some little confusion, the bomb-ships of the enemy were advanced, in the hope of profiting by it: they were, however, compelled, by the heavy and well-directed fire of the garrison, to retreat, with very considerable loss, to their former stations, where they continued the same tremendous bombardment until seven in the morning of the 14th. During the night, and in the midst of a most heavy cannonade, several of the rocket vessels and barges succeeded in passing the fort, and getting into the Patapsco, where they were received by so well-directed a fire, that they retired, with the loss of one of their barges, which sunk, with all on board. The bombardment ceased at seven the next morning. The British admiral, finding that the defences by water were too strong to be overcome, had, after consulting with colonel Brook, resolved that the whole force should be withdrawn: and, at nine in the morning, the fleet fell down to North Point, where the re-embarkation of the troops took place on that evening. The next day, the whole fleet descended the Chesapeake.

In the engagement near North Point, the British commander claimed a victory, the satisfaction arising from which was, however, lessened by the fall of general Ross. When the nature

and amount of the forces opposed to each other are compared, it will be seen that the enemy had in reality little cause for triumph. The British army, which was supposed to have numbered not less than five thousand men, was composed of veteran soldiers, flushed with their recent conquests over the best troops of Europe, and their still more recent victory over a superior force of Americans, confident of success, and animated by the hope of plunder. The republican troops, on the other hand, had nothing but the justice of their cause, and their love of country, to support them. Greatly inferior in numbers, they were, at the same time, raw and undisciplined, ignorant of the art of war, and accustomed to regard with respect the valour of their enemy. Notwithstanding these discouraging circumstances, they maintained their ground for a considerable time ; and, with the exception of a small part, retired in good order to their line of defence. The retreat of the enemy also from the latter post, is a proof of his disinclination to encounter a force more nearly equal to his own. The whole loss of the British troops in this engagement, according to their own official statements, was thirty-nine killed and two hundred and fifty-nine wounded. The loss of their commander, whose brave and enterprising character would have gained him the respect of his enemies, had it not been sullied by his wanton destruction of the works of art at Washington, was severely felt. Of the Americans, twenty-four were killed, one hundred and thirty-nine wounded, and about one hundred taken prisoners. Among these were some of the most elevated and respectable citizens of the republic. All classes and parties had united in defence of their homes and fire-sides. The experience of other sections of the country had evinced what was to be anticipated from a successful issue to the enemy's designs : and they had reason to expect, in case of the capture of their city, that neither sex nor age, the works of art, nor the temples of religion, would be held sacred by the licentious invaders. The most strenuous exertions were therefore made to prevent the deeds of Hampton and Havre de Grace from being repeated at Baltimore. With a few exceptions, the

militia maintained their ground with a degree of bravery that evinced they had not degenerated from their predecessors of the revolution. Their efforts were happily crowned with success : and the repulse of the enemy at Baltimore, happening at the same period with his defeat at Plattsburg and on lake Champlain, taught him an useful lesson, which had an important operation on the negotiations then pending at Ghent.

CHAPTER LVII.

British plan of operations—Attack on Plattsburg—Capture of the British squadron on lake Champlain—Retreat from Plattsburg—Affairs to the south—Enemy repulsed at Mobile—Capture of Pensacola—Invasion of Louisiana—Battles of New Orleans—Capture of fort Bowyer.

THE invasion of the southern states was accompanied by a movement in another quarter, which indicated a more serious design of conquest than any step that had yet been taken. The river Hudson, which flows through a considerable portion of the state of New York, offers a distinct line of demarcation between the eastern and middle sections of the Union; and is separated only by a narrow strip of land from the lakes and rivers which flow into the St. Lawrence. By obtaining the command of lake Champlain, therefore, and the posts in its vicinity, and thence moving down the Hudson, while an attack was made at the same time on the city of New York, it was supposed that a political as well as geographical division of the republic would be made; and the eastern states, already discontented with the existing order of things, would be disposed to make a separate peace. This plan, which was certainly a judicious one, was undertaken with every appearance of success; but, unfortunately for its projectors, the attempt eventuated in adding greater renown and security to the republic.

During the months of July and August, the British army in Canada was powerfully augmented by the arrival of a numerous and veteran body of troops from the banks of the Garonne, where they had been victorious under one of the most celebrated generals of the age. As soon as the army could be conveniently organized, it was determined to lead it on the projected expedition. Having been concentrated

on the frontier of Canada, they entered the American territory, and took possession of the town of Champlain, on the 3d of September. From this place, sir George Prevost, commander in chief of the invading army, issued a proclamation, assuring the inhabitants, that the arms of his Britannic majesty were directed only against the government and those who supported it, while no injury should be offered to the peaceful and unoffending. This attempt to separate the people from the government of their choice and affection, was received in a manner wholly different from what was probably anticipated. The citizens of New York and Vermont, contiguous to the scene of operations, took up arms, without distinction of party, to repel the invaders. The utmost unanimity prevailed throughout the country; and the British commander soon perceived that he could rely little upon the disaffection of any part of the community.

After the march of general Izard to Niagara, the force left at Plattsburg did not exceed fifteen hundred regulars, many of them invalids and recruits, and was commanded by brigadier-general Macomb. As soon as the object of the enemy was ascertained, that officer called out the militia of the vicinity, and laboured incessantly to put the works on the Saranac in the best state of defence. By the 4th of September, about seven hundred militia were collected, under general Moers, who were advanced seven miles on the Beckmantown road, to watch the motions of the enemy, and, by all possible means, to obstruct his progress. A party of about two hundred of the 13th regiment was posted on the lake road, with similar directions; and colonel Appling, with one hundred riflemen, was stationed in advance of this position. The inhabitants of Plattsburg, in the mean time, removed their families and effects within the American lines.

On the morning of the 6th, the British troops were discovered advancing, in two columns, by both roads. On the approach of the column by the Beckmantown road, the militia, although supported by about two hundred regulars, under major Wood, broke, and fled in confusion. Finding that the enemy had penetrated to within a mile of Plattsburg, orders

were given for the detachment on the lake road to fall back, and to colonel Appling to attack their right flank. The latter fortunately arrived in time to secure his retreat, and to annoy the enemy's column, which, however, continued to advance, although considerably obstructed by the removal of bridges, and the felling of trees across the roads.

The village of Plattsburg, upon which the British army was moving, is situated on the north-east bank of the river Saranac, near its entrance into lake Champlain. The American intrenched camp was situated on the opposite side of the river. The town being no longer tenable, the advanced parties retired across the river; and, having torn up the planks of the bridges, piled them up in the form of a breast-work, behind which parties of militia and regulars were posted, for the defence of the passage. The light troops of the enemy, having obtained possession of the buildings near the bridges, annoyed the Americans by their small arms, until, by a few hot shot, the houses were set on fire. During this day, several attempts were made to cross the bridges, in which the enemy was uniformly repulsed. From this period to the 11th, the British commander contented himself with erecting batteries opposite to the American lines, and skirmishing at the bridges and fords. This important interval, which, with his numerous and disciplined army, ought to have been otherwise consumed by governor Prevost, was not unemployed by the Americans. The lines were strengthened in every quarter; and the force of militia and volunteers was augmented by daily additions.

In the mean time, the enemy was earnestly employed in fitting out his fleet, which, by the original plan of the British commander, was to engage the American squadron, then lying at anchor in Plattsburg bay, at the same time that the troops assaulted the works. Early in the morning of the 11th, the British vessels appeared in view of Plattsburg. Their fleet consisted of the frigate *Confiance*, of thirty-nine guns, the brig *Linnet*, of sixteen, the sloops *Chub* and *Finch*, of eleven each, and thirteen gallies, carrying eighteen cannon; being, in all, ninety-five guns, with about one thousand men. The number of cannon in the American squadron amounted to eighty-

six, and the men to about eight hundred. The *Saratoga*, of twenty-six guns, the flag-ship, the *Eagle* of twenty, the *Ticonderoga* of seventeen, the *Preble* of seven, and ten gallies, carrying sixteen guns, composed the squadron, which was commanded by commodore M'Donough. At nine in the morning of the 11th, the British commodore anchored in line abreast of the American vessels, at about three hundred yards distance, the larger vessels being opposed to each other, and the enemy's gallies assailing the American schooner, sloop, and gallies. In this situation the engagement commenced.

The *Confiance*, the flag-ship of the British commodore, carrying a greater number and heavier weight of cannon than the *Saratoga*, the latter suffered severely from her fire; notwithstanding which, the contest was maintained for two hours. At length, the guns on his starboard side being nearly all dismounted, commodore M'Donough resolved upon a difficult manœuvre, which the enemy, who had also suffered from the fire of the *Saratoga*, attempted at the same time to effect. The stern anchor of the latter vessel was let go, the bower cable cut, and the ship winded with a fresh broadside upon the *Confiance*, which, unable to effect the same operation, soon after surrendered. The chief vessel of the enemy being thus captured, the brig struck her colours in a few minutes; the two sloops had surrendered some time before; three of the gallies were sunk, and the others escaped.

Thus, with the exception of a few gun-boats, did the whole of a squadron superior in force fall into the hands of the American commodore. This second victory over a British fleet, which took place exactly one year after the battle on lake Erie, reflected no less honour on the brave men engaged in it, than did that memorable engagement. The valour and skill of the American seamen were never more conspicuous than on this occasion: and the honours and emoluments bestowed upon them by their grateful country, evinced the public sense of their merits. The killed on board the American squadron amounted to fifty-two, the wounded to fifty-eight. Of the British, eighty-four were killed, including captain Downie, the commander of the squadron; one hundred and ten wounded;

and eight hundred and fifty-six remained prisoners, a number exceeding the whole amount of the Americans engaged.

At the same moment that the naval engagement commenced, the enemy's batteries on shore were opened upon the American lines. The bombardment was continued until sunset of that day, during which time several attempts were made by the British columns to force a passage of the river. One effort was made at the village bridge, another at the upper bridge, and a third at a ford, about three miles distant. In each attempt they were repulsed with great loss, particularly in the latter, where a considerable number were destroyed or taken prisoners. The surrender of the fleet, which took place in the sight of both armies, and was announced by the cheers of the American troops, put an end to any further attempts on the part of the enemy's land forces. At dark, he withdrew his artillery from the batteries, and raised the siege. Having sent off such of the baggage and artillery as could be conveniently transported, the whole army precipitately retreated, at two o'clock in the morning, and reached Chazy, a distance of eight miles, before their flight was discovered. The light troops, and others of the American army, were sent immediately in pursuit: but only a few prisoners were taken. Upwards of five hundred deserters, however, soon after came in. The sick and wounded of the enemy were left behind; and great quantities of provision, and of the munitions of war, were concealed or destroyed. Their killed and wounded amounted, according to their official report, to only two hundred and fifty. Their whole loss, however, including deserters, from their first appearance at Plattsburg, was supposed by general Macomb to be about twenty-five hundred. That of the Americans was only ninety-nine. Thus gloriously for the interests and honour of the republic did this invasion of its territory terminate. It was the last expedition undertaken on this frontier during the war, and served to gild with unusual splendour its final operations.

While the war was thus raging in the north, an attack had been made upon the remote southern coast, which was the prelude to an invasion of a more important nature. After

the conclusion of the contest with the Creeks, the head quarters of general Jackson were removed to Mobile, where, about the end of August, he received information that a body of three hundred British troops, with an immense quantity of the munitions of war, had arrived at Pensacola, in three armed vessels, and had marched into the fort at that place ; and that an additional force of thirteen sail of the line, and ten thousand troops, was daily expected. On the receipt of this intelligence, with his characteristic energy, he immediately took efficient measures for obtaining the necessary means of defence, by calling once more upon the patriotic and enterprising people of Tennessee.

From his head quarters at Pensacola, the commander of the British forces, colonel Nicholls, soon afterwards issued a proclamation, which betrayed a remarkable degree of ignorance of the genius and dispositions of the people to whom it was addressed. It purported to be directed to the inhabitants of Louisiana, Kentucky, and Tennessee, the states which above all others (the two latter especially) had manifested an unfailing reliance on, and attachment to, the administration, and recommended to them to throw off the yoke under which they had been so long groaning, and put an end to the unnatural war (so it was termed) by which they were oppressed. About the same period also, an attempt was made by the same officer to engage in his service a band of lawless pirates, who had formed an establishment on the island of Barrataria, within the limits of Louisiana. The efforts of the American government had been heretofore unavailing to destroy this nest of outlaws. Mixing with the sanguinary audacity of the buccaneer the address and caution of a smuggler, they had contrived, for a long time, under the government of a chief named Lafitte, to overawe or elude the expeditions sent against them. To these marauders the British officer made a proposal of union and alliance, communicating, at the same time, important information with respect to his designs : but, although proscribed by the American government, which had set a price upon his head, Lafitte made the whole known to governor Claiborne. Struck with this proof of magnanimity, that officer some time

afterwards promised a general pardon to the whole band, on condition of their engaging in defence of the country, at that time menaced by invasion ; an offer which was joyfully accepted by the Barratarians, who rendered eminent services to the republic, at a period of doubt and danger.

On the 15th of September, colonel Nicholls appeared, with four vessels, off fort Bowyer, which commands the entrance into the bay of Mobile ; and soon afterwards landed a body of about three hundred men, composed of regulars and Indians. The fort was at the time garrisoned by major Lawrence, of the 2d infantry, with one hundred and twenty men. An attack was commenced at the same time by the vessels and the land party, with their artillery, a twelve pounder. After a heavy cannonade of three hours, the British vessels were compelled to retreat, with loss ; and the commodore's frigate, the *Hermes*, was so much disabled, that she drifted on shore, and was soon afterwards set on fire and abandoned by her crew, only twenty of whom, out of one hundred and seventy, escaped. The troops retreated, by land, to Pensacola. In the fort, only four were killed and five wounded.

A reinforcement of mounted volunteers from Tennessee, to the number of two thousand, having arrived at Mobile, through the Indian country, about the end of October, general Jackson resolved to demand of the Spanish authorities in Pensacola, redress for the violation of the rules of neutrality, in suffering a British expedition to be fitted out and recruited in that place. He therefore marched from Mobile with a force composed in a great measure of the Tennessee volunteers, with a few regulars and Choctaw Indians, and arrived in the neighbourhood of that post on the 6th of November. From this place he sent a flag, to communicate the object of his visit to the governor, which was fired on, and forced to return. Nothing remained now but to take possession of that post, which had been so long a source of annoyance to the United States. In adopting this measure, general Jackson pursued the dictates of his own judgment, and assumed the responsibility of an act, to authorize which he had repeatedly applied to the

national government without effect.* The maxims of a too cautious policy had prevailed at Washington over the energetic remonstrances of this distinguished soldier, and appear to have caused a preference of a temporizing system to that of a manly vindication of the dignity of the republic. Convinced of the necessity of adopting the latter course, general Jackson had demanded of the governor of Pensacola, that the different forts, by which the harbour was commanded, should be placed under the protection of the United States, until the Spanish government should possess the means of enforcing its neutral rights. This demand not being complied with, the troops were put in motion early on the 7th. The encampment of the American army being to the west of the town, it was supposed that the attack would be made in that quarter; and accordingly a detachment of five hundred men was ordered to move in that direction, while, with the main body, he gained an opposite and unexpected point. The chief preparations of the British and Spaniards were made, as was expected, on the western side. The main body, therefore, by hastening rapidly on, entered the town before the garrison was aware of it. They were unexpectedly saluted, however, by a battery formed in the street, which, after a few volleys, was carried by the bayonet; and the Spanish troops were soon driven from all their positions. The governor now appeared with a flag, and offered to surrender the town and forts unconditionally. A capitulation was soon after signed, by which Pensacola and the different fortresses were to be placed in the hands of the United States.

The Barrancas, one of the most important objects of the expedition, remained yet to be taken possession of: and general Jackson was about marching his army for that purpose, when intelligence was received of its destruction by the British troops, who, with their shipping, had then evacuated the

* Reid's Life of General Jackson, p. 196—201. It is a strong proof of the inattention of the government or its agents, that a letter of the secretary of war, on this subject, dated July 18th, 1814, did not reach general Jackson until the 17th of January, 1815.

bay. Having no authority from the government to incur the expense of re-building the fort, he determined to withdraw his troops from Pensacola, and return to Mobile. This measure was effected on the second day after the capture of the place; the troops having behaved with great intrepidity in this expedition, and with equal propriety towards the unoffending inhabitants.

The projected attack upon New Orleans, which it was now reduced to a certainty would be attempted, induced general Jackson, soon after this event, to proceed to that city with his troops. Having left Mobile on the 22d of November, he arrived at New Orleans on the 1st of the succeeding month. In the situation in which he found that city, abundant occasion existed for the display of those warlike talents and that mental energy with which he was eminently gifted. The population of the state of Louisiana was composed of a mixture of various nations, among whom there was little bond of union; and the country having been but recently transferred to the republic, there was perhaps less national attachment than in any other quarter. Discontent and apprehension pervaded a great portion of the community; and the requisition for the militia draft had, in many instances, been met by a refusal to enter the ranks.* Added to this, the important post to be defended was approachable in various quarters, at none of which were sufficient means of resistance at hand. The militia of the states of Kentucky and Tennessee had been ordered out by the government; but it was wholly uncertain whether they would arrive in time to take part in the contest: and had even their numbers been double, their fitness to enter the lists with the veteran troops of Great Britain might reasonably have been doubted.

The intrepid spirit of general Jackson was nevertheless not appalled by the difficulties with which he was surrounded. He immediately adopted the most decided and efficient steps for the safety of the district with the command of which he had been entrusted. He visited in person every point at

* Reid's Life of General Jackson, p. 243—4.

which an invading enemy might be opposed ; and left no post unfortified that could at all conduce to the great object of defence. The grand approach by the Mississippi was secured by batteries ; and the inlets or bayous on the east were obstructed by all possible means. The militia of Kentucky and Tennessee were hastened in their progress : and the regular troops, as well as the volunteers from Mobile, were concentrated in the vicinity of the city. These active and energetic measures, and the confident tone of the commanding general, revived the spirits of the inhabitants of Louisiana, which had fallen at the prospect of invasion by so numerous an army as that which it was ascertained was on their coast. Volunteer associations of all classes were now formed ; and the legislature, then in session, appropriated money, and the personal labour of the slaves, to the requisitions of general Jackson. Upon the lakes, to the east of the town, a naval force of several small vessels, under lieutenant Jones, had been collected, which, in the narrow passes, would, it was supposed, be competent to repel any force that could be conveniently brought against them.

Information having been received, early in December, of the arrival of sixty sail of vessels off the Ship island, lieutenant Jones made sail for the passes into lake Pontchartrain, where they might be opposed to advantage. On the 13th, the enemy was discovered moving in barges to the west, in the direction of the gun-boats. After capturing the schooner *Sea Horse*, in the bay of St. Louis, they proceeded, in forty-three boats, with twelve hundred men, to the attack of lieutenant Jones's small force, which, consisting of five gun-boats, and one hundred and eighty men, was becalmed, in an unfavourable position. After a gallant resistance of an hour, against so overpowering a superiority of force, the American flotilla was compelled to surrender, with the loss of about forty killed and wounded. That of the assailants was, from concurring circumstances, believed not to have been less than three hundred.

The capture of the gun-boats, upon which general Jackson had depended greatly, as a means of defence, as well as of the

transmission of intelligence, made it necessary to use greater exertions than before on land. The militia of New Orleans was called out en masse; and measures which nothing but the urgent necessity of the case could justify, were adopted. An embargo was laid on all vessels in the harbour; the negroes were impressed, and compelled to work on the fortifications; and shortly afterwards, martial law, of the most rigid nature, was proclaimed by general Jackson. This important step, which at once subjected the civil authorities, and the salutary barriers of freedom, to the control of the military, was loudly demanded by the existing state of affairs. Composed, as the white population of New Orleans was, of a mixture of nations of different countries, Frenchmen, Spaniards, Englishmen, as well as of Americans, it is not surprising that disaffection to the American cause should exist among many, and that the emissaries of the enemy should find security and even protection. The ordinary powers of the civil magistrate had been found insufficient, when disaffection had crept into the highest assembly, and was protected on the ground of privilege.* The safety of the commonwealth, that first consideration, to which, in the most famous of ancient republics, the rules of ordinary times were obliged to give way, imperiously called for the interposition of an authority calculated to enforce subordination. The event proved that this extraordinary power was properly assumed, and peacefully relinquished, when occasion no longer required its exercise.

The militia from Tennessee, under general Carrol, to the number of about four thousand, arrived on the 21st; and soon afterwards, general Jackson was joined by the seamen of Barataria, to whom an amnesty was granted on that condition. By his command of lake Borgne, the enemy had it in his power to approach New Orleans by any of the numerous bayous and canals leading to the Mississippi. Most of these had been obstructed with great care. Unfortunately, however, a pass called the bayou Bienvenue, which was little known, was left open, and undefended except by a picket guard. On

* Reid's Life of General Jackson, p. 276.

the 22d, the enemy came suddenly on the American detachment; and having made them prisoners, pushed rapidly on, and, by two o'clock in the afternoon, reached the bank of the river. This intelligence being conveyed to general Jackson, he resolved immediately upon attacking them. Having therefore collected about two thousand men, consisting of general Coffee's brigade, parts of the 7th and 44th regiments of regulars, the uniformed companies of the city militia, a detachment of artillery, and one of cavalry, and others, he marched, at five in the afternoon of the 23d, to meet the enemy. Apprehending a double attack by way of the Chef Menteur, general Carrol's force and the city militia were left posted on the Gentilly road.

The enemy's force on land amounted to about three thousand men, and extended half a mile on the river, and in the rear to a wood. Their position being exposed to an attack from the water, it was determined that a fire should be opened upon it from the schooner *Caroline*, at the same time that general Coffee, with his brigade, assailed their right, and general Jackson, with the remainder of the force, attacked the strongest part of the position, near to the river. The *Caroline*, having taken her station, opened a heavy and galling cannonade, at half past seven, from which the enemy received the first intimation of the approaching attack. At the same moment, the brigade of general Coffee rushed impetuously on their right, and entered their camp, while the force of general Jackson assailed the left with equal ardour. Notwithstanding their surprise, the enemy soon formed, and withstood the assault with bravery. A thick fog arising shortly after the commencement of the engagement, general Jackson deemed it most prudent to call off his troops, then acting together for the first time; and, having lain on the field all night, he retired, at four in the morning, to a stronger position, about two miles nearer to the city. In this attack, which led the British commander to estimate the American force at a much greater amount than it really was, the loss of the former was supposed to be about three hundred. That of the Americans was twenty-four killed, one hundred and fifteen wounded, and

seventy-four missing. Among the former was colonel Lauderdale, of Tennessee, a brave and highly respected soldier.

The position now taken by general Jackson, occupied both banks of the Mississippi. On the left, a straight line of about one thousand yards in length, with a parapet, and a ditch containing five feet water, the right resting on the river, and the left on a wood which had been rendered impervious, opposed a formidable obstacle to the advance of the invaders. On the right bank, a heavy battery of fifteen cannon enfiladed the whole front of the position on the left bank. In the construction and strengthening of these lines, the whole of the troops were assiduously employed. In the mean time, the enemy, who had suffered severely from the fire of the *Caroline*, constructed a battery, from which they succeeded in blowing her up, on the 27th, as she lay becalmed. After the destruction of this vessel, the British commander in chief, sir Edward Pakenham, having landed with the main body of the army, and a large train of artillery, appeared determined to regain the time which had been spent in comparative inaction. On the 28th, he marched his whole force up the levee; and, at the distance of half a mile, commenced a furious attack, with rockets, bombs, and a heavy cannonade. The fire, however, from the batteries and the ship *Louisiana*, caused so much destruction, that, after a severe contest, the British general drew off his troops, with considerable loss. Few of the Americans were killed or wounded.

The enemy now began the construction of batteries near the American lines; and, having completed them, opened a heavy fire, at day-light on the 1st of January, which was returned with effect by the Americans. A bold attempt was at the same time made to turn the left flank of the latter, which ended in the repulse of the assailants. In the evening, they retired from their batteries, having spiked their cannon, and leaving a considerable quantity of ammunition behind. Shortly after this event, both armies were reinforced; that of general Jackson by the arrival of about two thousand five hundred Kentuckians, under general Adair, and that of the invaders by general Lambert, with four thousand men. The

American force now consisted of about eight thousand men, most of whom were, however, indifferently armed: that of the British was not less than ten thousand, all of whom were veterans, well appointed, and commanded by able and experienced officers.

Heretofore, as we have seen, nothing but discomfiture had attended the attempts of the British army since its landing. It was evident that another and more powerful effort would be made to overcome the obstacles in the way of the approach to New Orleans. One great difficulty to be surmounted by the British commander was the batteries on the right bank, which the want of boats prevented his reaching. With great labour, he at length succeeded, on the 7th of January, in completing a canal from the bayou to the Mississippi, by which he was able to transport the necessary number of boats to that river. Every thing being now in readiness, the next morning was fixed on for the assault, which was to be made at the same time on both banks. The American commander had, in the mean time, not been deficient in preparation. His works had now been completed, and, beside the battery on the right bank, contained twelve pieces of cannon, and were manned with the Tennessee and part of the Kentucky militia. The remainder of the Kentuckians, with the Louisiana militia, occupied the right bank.

Early in the morning of the 8th of January, a day which will be long memorable in the annals of the republic, the British commander, having detached colonel Thornton, with a strong body, to the right bank, moved to the assault, with the remainder of his force, in two divisions, under generals Gibbs and Kean, the reserve being commanded by general Lambert. The columns advanced slowly but firmly, the soldiers carrying fascines and scaling ladders, and offering to the unerring aim of the American marksmen, as they passed over the even and slippery plain in front of the intrenchments, objects of destruction, of which they soon availed themselves. When they arrived within reach of the batteries, a heavy and incessant cannonade commenced, notwithstanding which the columns continued to advance, until the rifles and

muskets of the Americans could take effect. Then commenced a stream of such well-directed and destructive fire, that, after losing hundreds in the vain attempt to advance, they broke, and retreated in great confusion. In the endeavour to rally them, their commander in chief, sir Edward Pakenham, was killed. A second time did the British columns advance to a short distance from the ditch, with equal ill success. The uncommon skill of the western militia in firing, animated as it was by their love of country, and animosity against the invaders, was never more signally evinced than on this occasion. No troops could have withstood their deadly fire. The British again faltered, and fled in confusion. A third but equally unavailing attempt was made by the British officers to bring them up to the charge. The loss of the commander in chief, and the disability of generals Gibbs and Kean, who were severely wounded, and the sight of the plain, covered as it was with the bodies of two thousand dead and wounded, operated in checking any further advance. General Lambert, on whom the command now devolved, finding that no hope remained of a successful result, collected together the broken remnants of this once formidable army, and retired to the encampment. In the mean time, the detachment under colonel Thornton, after landing on the right bank, immediately attacked the American lines, the garrison of which, believing itself to be out-flanked, ingloriously fled, leaving the enemy in possession of their works. The occupation of this post by the enemy would have proved of the most serious detriment to general Jackson, had he not, by a dextrous stratagem, induced him to abandon it. General Lambert having proposed, on the same day, an armistice, the proposition was agreed to by the American commander, with a condition, however, that it should not extend to the right bank, to which no reinforcements were to be sent by either party. Deceived by this reservation, and supposing that a large American force was already on that bank, general Lambert withdrew his troops, and it was immediately re-occupied by general Jackson.

The annals of the world can scarcely furnish an instance of greater disproportion of loss than occurred in this engagement.

Upwards of two thousand of the enemy, including almost all the commanding officers, were killed, wounded, or prisoners ; while of the Americans, only seven were killed, and six wounded. This splendid and most important victory was thus rendered doubly gratifying, from the reflection that it was clouded by the loss of so few of those by whose exertions it was achieved. At so trifling an expense of blood was the important capital of Louisiana preserved from capture and pillage, and a lesson inculcated, the moral influence of which will, it is to be hoped, long preserve the republic from similar attempts. To the unremitted activity and uncommon talents of general Jackson, this fortunate result seems to have been mainly owing. The difficulties and dangers by which he was surrounded, instead of depressing, seemed only to add new vigour and enterprise to his mind ; while his animated and eloquent appeals inspired the timid with courage, and aroused the patriotism of the indolent. The remoteness of the scenes on which his exploits were performed, and the inconsiderable numbers who were engaged in them, may prevent his being ranked among those to whom European adulation or fear has given the title of great : but the republic will, nevertheless, not hesitate to enrol him on the class of her highest benefactors.

After landing the troops to the east of New Orleans, a part of the British fleet proceeded up the Mississippi, with a view of co-operating in the attack. Their progress was checked by fort St. Philip, commanded by major Overton, upon which they commenced a cannonade, on the 9th of January, which was continued until the 17th, when, after various attempts to ascend had failed, the bombardment was abandoned, and the vessels soon after left the river. From this place they proceeded to Mobile bay, with the remainder of the fleet, containing the troops under general Lambert, which, after their repulse, had retired from the Mississippi, and re-embarked. On the 18th of February, a large force was landed, and fort Bowyer was invested by land and water. Regular approaches were made, until the 11th of March, when the batteries being within pistol-shot of the fort, colonel Lawrence was summoned to surrender. Against the overwhelming superiority of

the enemy, resistance was unavailing: articles of capitulation were therefore agreed to, by which the garrison, to the number of three hundred and sixty-six, including officers, were surrendered prisoners of war. The fort was taken possession of by the enemy, on the succeeding day. The further prosecution of his schemes of conquest was arrested, about this time, by the news of peace, which being soon after confirmed from official authority, the territory of the United States was evacuated.

CHAPTER LVIII.

Negotiation at Ghent—Demands of the British commissioners—Meeting of Congress—Public sentiment—Convention at Hartford—Congressional proceedings—Treaty of peace—Conclusion.

THE refusal of the British government to treat for peace, under the mediation of Russia, its subsequent proposal of a direct negotiation at London or Gottenburg, and the appointment of commissioners on the part of the United States, early in the year 1814, to treat at the latter place, have been related in a preceding part of these annals. After a long and unnecessary delay, which evinced little anxiety to put a period to the calamities of war, the British commissioners, lord Gambier, Henry Goulburn, and William Adams, arrived, on the 6th of August, at Ghent, which place had been substituted for Gottenburg, where the commissioners of the republic had already assembled. In the interval between the period at which the American plenipotentiaries had been appointed, and the commencement of the negotiation, those extraordinary and unexpected events had occurred, which, by terminating the dominion of the most successful conqueror of modern times, had led to a general pacification of Europe, and enabled the government of Great Britain to direct all its efforts against the United States. With the termination of the European war, it was conceived by the American government, that the principal causes of their hostile relations with England had ceased. The orders in council had been withdrawn; the blockade of the continent of Europe raised; and every pretext for the continuance of the practice of impressment was removed, when the occasion for a naval force no longer existed. The American commissioners were therefore instructed by their government, soon after the intelligence of the peace of Paris

reached the latter, to waive the abstract questions of right, in case the British plenipotentiaries should not be disposed to bring them into question, or to conclude a treaty, leaving those points to be discussed on a subsequent occasion.*

The foundation upon which the war had been declared being thus removed, it was supposed that no obstacles would be raised to a restoration of the blessings of peace to both nations. A straight and open course lay before the government of Great Britain, which it became an honourable and high-minded nation to pursue. Unmoved by a temporary flow of prosperity, both reason and generosity should have taught them the propriety of closing with the moderate and fair terms of the American ministers. It was soon discovered, however, that the views which actuated the British cabinet were widely different from those which, at the commencement of the war, it had avowed.

At the first meeting of the commissioners of the two nations, those of Great Britain proposed, as points upon which the discussion would be likely to turn—1st, the impressment of mariners; 2d, the pacification of the Indian allies of Great Britain, and a marked and definite boundary to further purchases by the United States; 3d, a revision of the boundary line between the British and American territories. An arrangement of the second point was declared to be a *sine qua non* of a treaty of peace. The commissioners of the republic presented, as additional subjects of discussion—1st, a definition of blockade, and other questions of a similar nature; 2d, claims of indemnity for seizures previous to the war. In the subsequent conferences, the views of the British government were more distinctly stated. For the purpose of opposing a barrier between the territory of the United States and that of Canada, it was required that the boundary line of the Indians residing within the geographical limits of the republic, should be distinctly marked, and no purchases be thereafter made by either nation; that no fortified post should be erected or maintained by the United States on the shores of the western lakes,

* Letter of Mr. Monroe—Niles's Register, Vol. VII. p. 91—2.

and no vessel of war kept on their waters, while the right of fortifying and maintaining a naval force was to be retained by Great Britain; that a line, running from lake Superior to the Mississippi, should constitute the future boundary of the United States; and that, in order to give the British nation a direct communication from Halifax to Quebec, a cession of that part of the District of Maine which intervenes would be required. The answer of the American plenipotentiaries to these broad demands, with which the interests and honour of their country were so closely connected, was decided, but temperate. They denied the right of any foreign nation to interfere with the policy of the republic towards the Indian tribes residing within their limits; although it was acknowledged that a peace with them would probably follow the termination of hostilities with Great Britain. The claim to the relinquishment of a naval force and military posts on the lakes, and to a cession of the territory of Maine, received a prompt and unqualified negative; while, at the same time, the injustice and impolicy of these requisitions were clearly exposed.

In this unpromising state of the negotiation did the congress assemble, amidst the smoking ruins of the capitol, from which the feet of the invader had been just withdrawn. From the manner in which the campaign had been conducted on the part of the British government, there appeared little reason to believe in the probability of a speedy peace; and the great object, the defence of the republic, it was conceded by all parties, must be maintained at every expense. The despatches from the commissioners at Ghent arriving shortly afterwards, were communicated by the president to both houses, and directed to be published. The effect produced on the public mind, by the demands of the British government, was highly honourable to the national attachments of the greater part of the Union. A sentiment of indignation, and a feeling that such claims should be resisted to the last moment, was universal in the greater part of the republic. The honour and dignity of the country required, it was said, that no portion of its territory and no particle of its rights should be surrendered, though in the midst of difficulty and distress. The enemy might ravage

the coast and destroy the cities ; but from the most remote corner into which the government might be driven, the lofty and unbending tone of patriotism should still support it. Upon abstract questions of maritime policy, a difference of opinion might be entertained : but when the integrity and rights of the republic were assailed, no sacrifice could be considered too great, on the part of her citizens, for their preservation. These sentiments, which were uttered by the community in general, were not the effusions only of a wordy patriotism. In all quarters of the Union, with the exception of some portion of the New England states, the most strenuous efforts for defence were made, by means of personal labour, and the voluntary encounter of the fatigues and perils of a camp. The same spirit of individual devotion, which shone with so much splendour during the war of the revolution, re-appeared at this crisis, in many parts, and, by its visible effects, convinced the British government that they could hope for no permanent advantage from their menaces of partition and invasion.

In some of the states, however, of the eastern section of the Union, a different temper unfortunately prevailed. From the commencement of the war, the declaration of which had been violently censured by the New England states, a system of opposition to the proceedings of the national government was adopted, and supported with a degree of perseverance, that tended to enfeeble the arm of the republic, and to encourage the designs of the common enemy upon its rights and independence. The spirit of party and sectional prejudices had blinded many to their true interests, and promoted the circulation of misrepresentations of the most injurious nature. The idea was industriously propagated, that to the commercial greatness and prosperity of the republic the states of New England had chiefly contributed : and the previous restraints upon commerce, as well as the existing situation of the country, were attributed to a conspiracy of the southern and western states against that portion of the Union. These suppositions, which found a place even in the public declarations of more than one legislature, were sufficiently and satisfactorily refuted, by the most convincing arguments. The unfortunate difference of

opinion, also, which existed on the subject of the right to the command of the militia, had a tendency still more to fan the embers of party violence. Adhering to its construction of the constitution, the national government had refused to recognize as in its service those portions of the militia which had been called out by the authority of a state alone, or had not been placed under an officer of the United States ; and had declined, consequently, to assume the payment of demands for such services. This determination became the subject of great opposition and remonstrance, when taken in connexion with some recent acts of the national legislature. Measures of a more decided and impressive cast were openly recommended ; and there were not wanting many who advised a separate peace, and a dissolution of the Union. Of a proposition of this nature, it is difficult to speak in the language of sober condemnation. In the union of the states, which compose the republic, lies the great secret of their prosperity and happiness. Mutually dependent and mutually assisting, they derive from each other all that is necessary to constitute the happiness of life, and all that is required to defend it from external enemies. The noblest institutions of human wisdom, and the fairest scenes of individual prosperity, are the fruits of that union. Without it, interminable jealousies and disputes would have led to a series of sanguinary conflicts, eventuating in submission to the most powerful, or to the arms and intrigues of Europe. Freedom, commerce, and the arts, the virtues of public and the charities of private life, which have adorned the character of confederated America, would have fled from the turbulence of hostility ; and the community would probably at last gladly sink into the repose of despotism. To attempt the destruction, therefore, of a fabric so glorious as that of the American republic, can never fail to be considered as an act equally hostile to the interests of all portions of the Union, and disgraceful to those by whom it may have been projected. However such a design may be cloaked, no efforts can be too strong to counteract it, and no terms too severe to be applied to it. Grievances may always be supposed ; and men will be found base enough to sacrifice the interest of the com-

munity to a sordid ambition, or a hope of personal aggrandizement: but the sober sense of the people, it is to be hoped, will long preserve the political ark from such unhallowed hands.

Whatever may have been the motives which prompted them, measures were adopted in the state of Massachusetts, in the autumn of this year, which filled with regret and anxiety those who were attached to the constitution. The legislature of that state having met in the month of October, a report was shortly afterwards presented by a committee of both houses, in which, after dwelling upon the supposed grievances of the citizens of that quarter, they recommended a convention of delegates from the states of New England, for the purpose of consulting upon the best means of redressing them. The plan recommended in the report being adopted, twelve delegates were appointed, and the rest of the New England states invited to accede. Of these states, the legislatures of Vermont, Rhode Island, and Connecticut, were in session. The first unanimously refused to concur. The council of New Hampshire determined that it was inexpedient to call together the assembly, to decide upon the question. The legislatures of Rhode Island and Connecticut alone coincided with that of Massachusetts.

Hartford, in Connecticut, being fixed on for the place of meeting, the delegates from these states, together with two from counties in New Hampshire, and one from a county of Vermont, assembled on the 15th of December. The convention sat, with closed doors, until the 4th of January, when it adjourned, after publishing a report of great length. In this document, which commenced with a statement of the reasons which led the convention to prefer a moderate course to one calculated to disunite the states, the inconveniences and sufferings under which it was conceived the citizens of New England laboured, were detailed at considerable length, and attempted to be supported by various statistical facts. The constitution, sanctioned by the approbation of so many distinguished patriots, and which had been productive of so much national and individual prosperity, was supposed to be unequal in its operation, and defective in many essential points. The

interests of commerce, it was said, had been sacrificed during the administration of the preceding thirteen years; and the cause was partly sought in the provision of the constitution which gives a representation to a part of the slave population, and partly attributed to the unlimited powers of congress to impose restrictions upon commerce. For these and other reasons, amendments were conceived to be necessary to that charter; and propositions, seven in number, for that purpose, were recommended. The alterations proposed by the convention were, that representation and direct taxes should be apportioned on a basis of the white population alone; that a concurrence of two-thirds of both houses of congress should be required to admit new states into the Union, to interdict the commercial intercourse with foreign nations, and to declare war, unless in case of invasion; that no embargo should be laid for a longer term than sixty days; that no person, thereafter naturalized, should be eligible to the national legislature, or to any civil office under the authority of the United States; that the same person should not be elected president a second time; and that the president should not be elected from the same state two terms in succession. In addition to these propositions, it was recommended to the legislatures of the states represented in the convention, to adopt such measures as might be necessary to protect their citizens from the operations of any acts of congress that had been or might be passed, subjecting them to forcible militia drafts, or conscriptions, not authorized by the constitution; to make application to the national government "for power to assume their own defence, and to appropriate therefor such part of the revenue raised in those states as might be necessary;" and to authorize the governors, or commanders in chief of those states, to make detachments of militia, or receive the services of volunteers, for the purposes of defence.

These were the chief features of the report of that assembly, which, creating at the time of its meeting considerable anxiety, lest the interests of the whole community should be sacrificed to the animosity of faction, is now only remembered to be condemned. If the veil of oblivion could

be altogether closed over the transaction, the welfare of the republic, and the reputation of the actors, would be equally benefited. The precedent of a combination of states against the most beautiful system of polity the world ever witnessed, would not then be remembered, to be adopted, perhaps, at no remote period, when fancied grievances may incite others more powerful to opposition, and the frame of government, too weak to stand the shock, may be resolved into its original elements: nor would it then be told, that at a period of uncommon difficulty and distress, when a powerful enemy was carrying a war of revenge and desolation into the country, and had demanded, as the price of peace, concessions degrading to its honour, and injurious to its interests, a combination was formed, the tendency at least of which was to enfeeble the arm of a government already deficient in energy, and to encourage the hopes and projects of that enemy. The resolutions recommended by this convention were adopted by the states of Massachusetts, Rhode Island, and Connecticut: but, it is hardly necessary to add, received an immediate rejection by the other members of the Union.

While the states of New England were thus occupied, congress was employed in an earnest consideration of the means of procuring the necessary addition of men and money for the prosecution of the war. The financial embarrassments of the government, which, in consequence of the neglect to provide a sufficient revenue at the commencement of hostilities, had now reached an alarming height, required the adoption of energetic measures to support the common interest. By the report of the secretary of the treasury, presented to congress soon after their meeting, it appeared, that the expenses incurred would probably far exceed the revenue. The actual expenditure, for the first six months of 1814, had amounted to upwards of nineteen millions six hundred thousand dollars: and, for the remainder of the year, it was supposed, would amount to twenty-three millions three hundred thousand. To meet the necessary disbursements, it was expected that there would arise from the revenue four millions eight hundred and forty thousand dollars, from loans four millions

three hundred and twenty thousand, and from treasury notes four millions, making thirteen millions one hundred and sixty thousand, and leaving a deficiency of eleven millions. The authority given to the president, by the act of March, 1814, to borrow twenty-five millions, had been only in part exercised; and then on terms very unfavourable to the borrower. Proposals were advertised to be received, in the month of May, for ten millions, in part of that sum; and offers were received and accepted, of nine millions seven hundred and ninety-five thousand dollars, at eighty-eight per cent, five millions of which were on condition, that if any more favourable terms should be allowed to the lenders of any part of the remaining twenty-five millions, the same should be extended to those holding stock in the ten million loan. Of this sum, however, a failure in payment, to the amount of nearly two millions, took place. In August, proposals were again invited for a loan of six millions, under the same authority, of which only two millions nine hundred thousand dollars were obtained, at the rate of one hundred dollars in stock for eighty dollars in money. Of this sum, it was supposed that not more than two and a half millions would be received into the treasury, from the failure of some of the lenders to comply with the terms.

Shortly after the communication of this report, the office of secretary of the treasury became vacant, by the resignation of Mr. Campbell, who had occupied it since the appointment of Mr. Gallatin to a foreign embassy. The vacancy was filled by the appointment of Mr. Dallas, then district attorney for the state of Pennsylvania, whose acknowledged talents and mental energy rendered him peculiarly adapted to it. Accepting this responsible situation at a period of unusual embarrassment, he fully justified the hopes of the nation, and, by his bold and decided measures, retrieved, in a great degree, the credit of the government. In his first communication to congress, the difficulties of the treasury were frankly acknowledged, and the impropriety of continuing a system of expedients and palliatives clearly exposed. At the same time, the great and almost untouched resources of the country were exhibited; and the existing depression of the public credit was attributed

to the disordered state of the circulating medium, and to the want of sufficient funds pledged for the payment of the interest and principal of the public debt. It was then recommended, that a national bank should be established, with a capital of fifty millions of dollars, two-fifths of which to be subscribed by the government, in six per cent stock; that an addition of one hundred per cent. should be made to the direct tax, to the auction duties, to the duties upon carriages, and to the rates of postage, and of fifty per cent to the licenses to retailers; and that new taxes, calculated to produce seven millions annually, should be laid. By these means, and the product of the existing revenue, it was calculated that an annual sum of twenty-one millions could be raised, with which the expenses of the peace establishment, the interest of the old and new debts, and of the treasury notes, might be defrayed, and a fund created for the gradual discharge of the war debts. The extraordinary expenses of the war were estimated at an additional annual sum of twenty-eight millions, which it was proposed to meet by loans and issues of treasury notes.

The measures recommended by the secretary were generally adopted by congress, although after great delay. The bills for the imposition of taxes passed both houses by large majorities, and received the sanction of the president. The proposition for the establishment of a national bank, however, met with a different fate. In the house of representatives, a bill, conforming in general to the features of that recommended by the secretary, was introduced on the 9th of November; and, after being variously amended, re-committed, and reported, was rejected, on the third reading, by a large majority. On the 2d of December, a bill, similar in principle, was reported by a committee of the senate, and passed that body on the 9th. Being carried into the house of representatives, it there experienced numerous and important amendments; and, on the question of final passage, was lost by the casting vote of the speaker. The question being re-considered, the bill was re-committed, and, on the 6th of January, reported with amendments, the principal of which consisted in the reduction of the capital to thirty millions, and the omission of that part

which authorized a loan to the government. With these alterations, it passed that body by a very large majority. In the senate, it was again amended, by increasing the capital, in which the house of representatives refused to concur. The former having, however, receded from its amendments, the bill wanted only the sanction of the president, to become a law. On the 30th of January, it was returned by him to the senate, with his objections, which were principally founded upon the manner in which the capital was to be constituted, and its supposed inefficacy to assist the operations of the treasury. The question being then taken in the senate, as to its passage in conformity to the constitution, a majority appeared to be against it: and it was thus lost. A new bill was finally introduced, again passed that body, and, after the receipt of the intelligence of peace, was indefinitely postponed by the house of representatives. Thus ended a course of legislative proceedings, of which it is difficult to say, whether they were most injurious to the interests of the nation, or discreditable to its representatives. Inconsistency and irresolution appear, indeed, to have prevailed in an unusual degree in this congress, at a period when energy and promptitude were imperiously required by the existing emergency.

From the alteration that had then recently taken place in the relative power and means of Great Britain, it was evident that an additional military force would be required to protect the Atlantic frontier from the general invasion with which it was threatened, as well as to prosecute offensive operations in Canada. It became, therefore, a question, early in the session, by what means the ranks of the army, then authorized, could be best filled, and what augmentation of force would be required. The inconveniences attending the employment of militia began now to be sensibly felt, both by the government and the citizens; while, at the same time, it was found that sufficient inducements did not exist to produce adequate enlistments into the regular army. The office of secretary of war was filled by Mr. Monroe, now president of the United States, who, on the retirement of Mr. Armstrong, after the disgraceful event at Washington, had succeeded him in that

post. In a communication, addressed to the military committee of congress, in the early part of the session, he stated the opinion of the government, as to the amount of force necessary, and the means of obtaining it. It was proposed that the ranks of the existing military establishment, amounting nominally to upwards of sixty-two thousand men, should be filled up, and a permanent force of forty thousand men, in addition, should be raised for the defence of the frontier. To accomplish these objects, three plans were suggested, which, it was conceived, were warranted by the constitution, and required by the exigencies of the country. The first proposed that the free male population of the republic, between the ages of eighteen and forty-five, should be formed into classes of one hundred men each, having reference to an equal distribution of property in each class, which was to furnish a specified number of men for the ranks of the regular army; or, in case of non-compliance, a draft was to be made in the class, the person thus drafted being allowed to furnish a substitute: the bounty in land was to be allowed to each recruit, and the bounty in money to be provided by the members of the class, according to the value of their property. The second plan consisted of a classification of the militia, and an extension of their term of service. The persons subject to militia duty were to be divided into three classes, having regard to their ages; and power was proposed to be given to the president to call into service any portion of either of these classes, to serve for two years. By the third plan, it was proposed to exempt every five men from militia service, who should find one to serve during the war: this was, however, considered the least advantageous of the modes suggested.

The principle, upon which these propositions were made, was the broad and general one of every society, that the commonwealth has a right to the services of all its citizens for the general defence. The duties of protection and defence are correlative and mutual between the state and its members: and it belongs to the legislative authority of the nation, to determine in what manner these duties shall be performed. The provisions of the constitution of the United States, it was conceived, offered no

obstacle to the adoption of either of the proposed plans. Congress has, by that instrument, a right to raise and support armies; nor is it in any place declared, that the power shall be exercised only by voluntary enlistment. The precedent of compulsion to military service, is found in all the ordinances of the state legislatures by which a militia system is enacted; and is in no wise prohibited by the spirit or letter of the national compact. The inconveniences of the existing mode of filling the ranks of the regular army, and of calling upon the militia for short terms of duty, were clearly pointed out, and the superiority of those proposed satisfactorily evinced.

These propositions, however, were received, both on the floor of congress, and in many parts of the Union, particularly, as we have had occasion to observe, in the New England states, with great opposition and clamour. Party spirit, which the critical situation of the republic had not quenched, seized upon it as a new ground of complaint and violence. It was denounced as a measure of tyranny and oppression, as repugnant to the genius and habits of the people, and as calculated to furnish the executive with the means of overthrowing the liberties of the people, under the pretence of resisting a foreign enemy. At this distance of time, however, it is not easy to conceive by what rational principles this opposition could have been justified. If ever the maxim be true, that the services of each citizen are due to the country which protects him, it is peculiarly so in a republic, in a time of imminent danger. The government is one of his choice, and ought to be of his affections: it secures to him the enjoyment of liberty and prosperity; and, by the control which he possesses over it, he may prevent the power, thus lodged in it, from being perverted to mischievous purposes. In the war of the revolution, a method of recruiting, similar to that submitted to congress, was adopted by many of the states; and had been recommended, since the formation of the existing constitution, by an authority no less than Washington himself. A great part of the opposition, however, made to this scheme, arose from a comparison that was industriously drawn of it with the method by which the emperor of France had recruited those

armies, which, in his hands, became the instruments of conquest and oppression. Independent, however, of the difference that existed between the two systems, in many material points, the objection that arose from the abuse of power by the emperor Napoleon, was radically bad, or, if well-founded, might be applied to every other species of force, by which the interests of a good government are upheld. The system of conscription, as it was called, became odious on the continent of Europe, not because it compelled the services of the subjects in support of the country, but on account of the objects to which those services were applied. Under a government, therefore, like that of the United States, where no wars can be declared, and no enterprises undertaken, without the consent of a majority of the representatives of the citizens at large, it is plain, that the services of the military can seldom be applied to the furtherance of schemes foreign to their wishes; and the frequency of our elections always affords an effectual remedy, in case of malversation. Neither was the manner by which it was contemplated to call forth the physical force of the country, in the least degree oppressive or burdensome. The weight of militia service had previously fallen with an unequal pressure, upon different portions of the community. By the two first of the plans, it was proposed to make the draft from all sections, as well those who were, by their local situation, in the vicinity of military operations, as those who, by their remoteness from them, had been in a great measure exempt. The extension of the term of service, from six months to two years, proposed by the second plan, was a manifest advantage to the general interests of the republic. The immense waste of men and money, consequent upon a short tour of duty, and the general inefficiency of the militia, unless habituated to the discipline and subordination of a camp, were demonstrated in every page of the history of America. It was to have been presumed, therefore, that a plan by which this species of force could be rendered more useful, while, at the same time, the burden of service was thrown more equally upon the community, would have been received with general approbation. It nevertheless unfortunately met the fate of many other measures of public utility, which were

proposed to this congress. A bill, in conformity with the second plan of the secretary of war, was introduced into the senate, and passed that body without material alteration. In the house of representatives, however, the term of service was reduced to one year, its most important feature being thus destroyed. The senate, having refused to concur in the amendment, a disagreement took place between the two houses, which ended in a final postponement of it, by the former, to a day beyond the session. A bill subsequently passed both houses, which authorized the enlistment of persons above the age of eighteen years, with or without the consent of their parents or masters, and increased the bounty in land, to recruits, to three hundred and twenty acres.

The discussions of congress, however, upon the subject of warlike operations, were suddenly terminated, in the month of February, by the pleasing and unexpected intelligence, that a treaty of peace had been signed at Ghent, on the 24th of December, by the respective plenipotentiaries. The correspondence which had, at two different periods, been laid before the public, was of a nature rather to excite the belief, that the war would be protracted for a considerable period, than that there was any reasonable prospect of peace. The *sine qua non* of a new boundary to the Indians, had indeed been abandoned; but the claim for a cession of territory was followed, soon after the intelligence reached Europe, of the capture of the territory on the Penobscot, by a new demand, on the basis of the *uti possidetis*. This proposition was met by the American commissioners, with the same firmness and dignity, that had been manifested in their previous correspondence. They distinctly stated, that they had no authority to cede any portion of the territory of the United States; and added, that even if the chances of war should give to the British arms a momentary possession of any part of the republic, such event would not alter their views with regard to the terms of peace, to which they would give their consent. In this stage of the correspondence, the intelligence of the repulse of the British troops from Baltimore and Plattsburg, and of the capture of the squadron on lake Champlain, reached Europe; and altered materially the views of the British government, in relation

to America, and led to a relinquishment of those demands, which had proved to be the only obstacles to a conclusion of the negotiation.

The treaty of peace, which was ratified by the prince regent of England, on the 28th of December, and by the president of the United States, with the advice and consent of the senate, on the 18th of February, was silent on the subject of the causes for which the war was declared. The first article provided for the restoration of all places and possessions, taken from either party by the other, with the exception of the islands in the bay of Passamaquoddy. The second and third related to the period, in which prizes, taken after the ratification of the treaty, should be deemed valid, and to the restoration of prisoners. By the fourth article it was agreed, that the claims of the two countries, to the islands in the bay of Passamaquoddy, should be referred to two commissioners, one to be chosen by each party, and in the event of a difference of opinion arising, it was provided, that the question should be referred to the decision of some friendly sovereign or state. The fifth, sixth, seventh, and eighth articles, related to similar questions of boundary, and provided a similar mode of settlement. By the ninth article, both parties agreed to put an end to hostilities, with all the tribes or nations of Indians with whom they were at war, provided such tribes or nations desisted from warlike operations, on being notified of the ratification of that treaty. The traffic in slaves being declared to be irreconcilable with the principles of humanity and justice, it was agreed, by the tenth article, that both parties should use their best endeavours to promote its entire abolition.

Thus ended the first considerable war, in which the nation had been engaged, since the adoption of that constitution which secured to them the blessing of a mild, and, comparatively, efficient form of government; and promised, by its impartial influence, to render them an united and happy people. During the long period of peace, which was enjoyed after its formation, the hopes of those wise and illustrious men, by whom it was projected, were fully realized. No year elapsed without adding, in an unexampled degree, to the wealth and population of the

country; and the rare instance was exhibited, of the union of practical liberty and social happiness with the advantages of a mild climate and prolific soil. It only remained to be seen, whether the frame of the political bark was calculated to withstand the storms of hostility, or was only suitable to the smooth and unruffled ocean of peace. The result may be considered, upon the whole, as decisive of the question, and as calculated firmly to establish the strength and permanency of our republican institutions. It is true, indeed, that the conduct of the war exhibited, in many instances, a degree of imbecility, and a want of skill, which afforded a striking contrast to the energy and activity of monarchical governments: and it is no less certain, that the conflicts of opposing factions threatened, at one time, the destruction of the national fabric. It may, however, be considered as highly probable, that in no future war will the strength of the confederacy be so severely tried: and it may therefore be fairly argued, that, having passed this ordeal, the capacity of the republic to sustain the shock of hostility has been fully determined. For, in the first place, it does not appear likely, that any subsequent war will be preceded by so long and enervating a period of peace as that which followed the acknowledgment of independence. The republic has now taken that stand among the nations of the world, which forbids a return to the system of expedients and self-denial, which, at one period, marked the policy of the government; and a more formidable state of preparation, as well as a more sedulous cultivation of the art of war, is in future to be expected. One great source of the inconvenience and misfortune, to which both the government and people were subjected for a considerable time after the commencement of the war of 1812, may thus be obviated, in future periods of hostility. It may also be added, that the experience of those inconveniences will probably dispose the public mind to the adoption of a more efficient system for the organization and discipline of the militia, upon the principle of a conscription. In the next place, the war of 1812 was waged against the most powerful nation of the world, at least so far as regards her means of annoying the republic. No coincidence of circum-

stances will probably again occur, so unfavourable to the United States, as those which, after the declaration of war, left a large and veteran army at the disposal of their enemy, whose superiority of naval force enabled him to transport it to the American shore. The annual increase of the navy of the United States will, in no long time, enable them to defend their Atlantic frontier from European invasion; while, from any American enemy, there seems no source of apprehension. Lastly, it may be remarked, that, in any future war, the same causes of radical disunion are not to be anticipated. It cannot be denied, that a considerable portion of the citizens of the republic were, from peculiar circumstances, attached to Great Britain by strong ties. Many of those who were born while the republic was yet in a colonial state, were still on the stage, and retained those respectful and affectionate feelings with which they had been accustomed to regard the parent country; while others, with ideas more suitable to their political duties, still felt the force of hereditary prejudice, and the influence which a common language and literature were calculated to produce. The books of the American community were almost exclusively of English production. The exploits of British valour, the superiority of British institutions, the generosity, wisdom, and virtue of that great and respectable nation, were the constant themes of American contemplation. It is not to be wondered at, therefore, that sentiments of deference and admiration should have arisen in the breasts of many, or that those sentiments should have engendered others of more doubtful propriety. The period of moral dependence may, however, now be considered as having passed away. A national character has been formed, and national feelings have generally taken the place of foreign predilections. It will no longer be necessary for the American people to consult the history of other nations,

"Fortia facta legere, et quæ sit cognoscere virtus."

In the annals of their own republic, they may find sufficient examples of those qualities which adorn or elevate the character of the species. However much, therefore, party violence

may prevail in the republic, there is a reasonable ground to hope, that it may be purified, in future, from any mixture of foreign attachment or prejudice. The strength, too, of that spirit of sectional distinction, so hostile to the true interests of the republic, which tends to foster local attachments, in opposition to a national feeling, seems to be broken, with the decline of other animosities. The overstrained idea of the superior importance of particular states, which was at one time entertained, has been greatly reduced by the progress of free discussion: and the momentous truth, which the venerable father of his country so sedulously inculcated, is at length acknowledged, that the prosperity of one is the source of prosperity to all the members of the confederation.

On the manner in which the operations of the war were conducted by the administration of Mr. Madison, great diversity of opinion has prevailed. Many proofs, indeed, exist, of a deficiency of proper information, and of the absence of that energy and decision which ought to characterize the councils of a great nation. The appointments to important commands do not appear to have been in all cases judicious: and we have had occasion to observe, in more than one instance, upon the neglect with which the salutary recommendations of experienced officers were treated. The capture of the city of Washington, almost without bloodshed, would be, in itself, almost sufficient to warrant a sentence of condemnation upon the government by which it was permitted. But, without justifying the conduct of the administration in all cases, it may be observed, that the political circumstances of the country were peculiarly embarrassing. The difficulties inseparable from the prosecution of a war in a free country, have been strongly displayed by one who was well acquainted with the genius of republics. "*Bellum parare simul et ærario parcere; cogere ad militiam eos quos nolis offendere; domi foresque omnia curare; et ea agere inter invidos, occursantes, factiosos, opinione asperius est.*"* Independent of these general principles, the pacific habits of the people of the United States

* Sallust de Bell. Jugurth.

threw great obstacles in the way of military enterprises; while the power of the enemy was unexampled, and increased to an unexpected degree. But, whatever sentence their posterity may pass upon the principles or conduct of that war, little doubt can remain of its beneficial effect upon the character and interests of the republic. If, as we have endeavoured to prove, a national feeling has been excited, and new motives to union, and of attachment to our republican institutions, created, the blood and treasure of the community, which have been expended in the struggle, however humanity may regret the sacrifice, will be amply repaid by the important and salutary consequences to us and to our remote posterity.

APPENDIX.

No. I.

An Act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, the entrance of the harbours and waters of the United States and of the territories thereof, be, and the same is hereby interdicted to all public ships and vessels belonging to Great Britain or France, excepting vessels only which may be forced in by distress, or which are charged with despatches or business from the government to which they belong, and also packets having no cargo nor merchandise on board. And if any public ship or vessel as aforesaid, not being included in the exception above-mentioned, shall enter any harbour or waters within the jurisdiction of the United States, or of the territories thereof, it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land and naval forces, or of the militia of the United States, or the territories thereof, as he shall deem necessary, to compel such ship or vessel to depart.

SEC. 2. And be it further enacted, That it shall not be lawful for any citizen or citizens of the United States or the territories thereof, nor for any person or persons residing or being in the same, to have any intercourse with, or to afford any aid or supplies to any public ship or vessel as aforesaid, which shall, contrary to the provisions of this act, have entered any harbour or waters within the jurisdiction of the United States or the territories thereof; and if any person shall, contrary to the provisions of this act, have any intercourse with such ship or vessel, or shall afford any aid to such ship or vessel, either in repairing the said vessel, or in furnishing her, her officers and crew, with supplies of any kind, or in any manner what-

ever, or if any pilot or other person shall assist in navigating or piloting such ship or vessel, unless it be for the purpose of carrying her beyond the limits and jurisdiction of the United States, every person, so offending, shall forfeit and pay a sum not less than one hundred dollars, nor exceeding ten thousand dollars; and shall also be imprisoned for a term not less than one month, nor more than one year.

SEC. 3. *And be it further enacted*, That from and after the twentieth day of May next, the entrance of the harbours and waters of the United States, and the territories thereof, be, and the same is hereby interdicted to all ships or vessels sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either; vessels hired, chartered or employed by the government of either country for the sole purpose of carrying letters or despatches, and also vessels forced in by distress, or by the dangers of the sea, only excepted. And if any ship or vessel sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either, and not excepted as aforesaid, shall, after the said twentieth day of May next, arrive either with or without a cargo, within the limits of the United States or of the territories thereof, such ship or vessel, together with the cargo, if any, which may be found on board, shall be forfeited, and may be seized and condemned in any court of the United States or the territories thereof, having competent jurisdiction; and all and every act and acts heretofore passed, which shall be within the purview of this act, shall be, and the same are hereby repealed.

SEC. 4. *And be it further enacted*, That from and after the twentieth day of May next, it shall not be lawful to import into the United States or the territories thereof, any goods, wares or merchandise whatever, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, nor from any port or place situated in France, or in any of her colonies or dependencies, nor from any port or place in the actual possession of either Great Britain or France. Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign

port or place whatever, any goods, wares, or merchandise whatever, being of the growth, produce, or manufacture of France, or of any of her colonies or dependencies, or being of the growth, produce, or manufacture of Great Britain or Ireland, or of any of the colonies or dependencies of Great Britain, or being of the growth, produce, or manufacture of any place or country in the actual possession of either France or Great Britain: *Provided*, That nothing herein contained shall be construed to affect the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared for any port beyond the Cape of Good Hope, prior to the twenty-second day of December, one thousand eight hundred and seven, or which had departed for such port by permission of the president, under the acts supplementary to the act laying an embargo on all ships and vessels in the ports and harbours of the United States.

SEC. 5. *And be it further enacted*, That whenever any article or articles, the importation of which is prohibited by this act, shall, after the twentieth of May, be imported into the United States or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said twentieth of May, be put on board of any ship or vessel, boat, raft or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft or carriage, belonging to the owner of such prohibited articles, shall be forfeited; and the owner thereof shall moreover forfeit and pay treble the value of such articles.

SEC. 6. *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, shall, after the twentieth of May, be put on board of any ship or vessel, boat, raft or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft or carriage, such ship or vessel, boat, raft or carriage, shall be forfeited, and the owner and master thereof shall moreover each forfeit and pay treble the value of such articles.

SEC. 7. *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, and which shall nevertheless be on board of any ship or vessel, boat, raft or carriage, arriving after the said twentieth of May next, in the United States, or the territories thereof, shall be omitted in the manifest, report or entry of the master, or the person having the charge or command of such ship or vessel, boat, raft or carriage, or shall be omitted in the entry of the goods owned by the owner or consigned to the consignee of such articles, or shall be imported, or landed, or attempted to be imported or landed without a permit, the same penalties, fines, and forfeitures, shall be incurred, and may be recovered, as in the case of similar omission or omissions, landing, importation, or attempt to land or import in relation to articles liable to duties on their importation into the United States.

SEC. 8. *And be it further enacted*, That every collector, naval officer, surveyor, or other officer of the customs, shall have the like power and authority to seize goods, wares and merchandise imported contrary to the intent and meaning of this act, to keep the same in custody until it shall have been ascertained whether the same have been forfeited or not, and to enter any ship or vessel, dwelling-house, store, building or other place, for the purpose of searching for and seizing any such goods, wares and merchandise which he or they now have by law, in relation to goods, wares and merchandise, subject to duty; and if any person or persons shall conceal or buy any goods, wares or merchandise, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount or value of the goods, wares and merchandise, so concealed or purchased.

SEC. 9. *And be it further enacted*, That the following additions shall be made to the oath or affirmation taken by the master or person having the charge or command of any ship or vessel arriving at any port of the United States, or the territories thereof, after the twentieth of May, viz. "I further swear (or affirm) that there are not, to the best of my know-

ledge and belief, on board, (*insert the denomination and name of the vessel*) any goods, wares or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law : And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares or merchandise, on board the said vessel, or which shall have been imported in the same, I will immediately, and without delay, make due report thereof to the collector of the port of this district."

SEC. 10. *And be it further enacted*, That the following addition be made, after the twentieth of May, to the oath or affirmation taken by importers, consignees, or agents, at the time of entering goods imported into the United States, or the territories thereof, viz. "I also swear (or affirm) that there are not, to the best of my knowledge and belief, amongst the said goods, wares and merchandise, imported or consigned as aforesaid, any goods, wares or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law : And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares or merchandise, amongst the said goods, wares and merchandise, imported or consigned as aforesaid, I will immediately, and without delay, report the same to the collector of this district."

SEC. 11. *And be it further enacted*, That the president of the United States be, and he hereby is authorized, in case either France or Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, to declare the same by proclamation ; after which the trade of the United States, suspended by this act, and by the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, may be renewed with the nation so doing : *Provided*, That all penalties and forfeitures which shall have been previously incurred, by virtue of this or of any other act, the operation of which shall so cease and determine, shall be recovered and distributed, in like manner as if the same had continued in full force and virtue : and

vessels bound thereafter to any foreign port or place, with which commercial intercourse shall, by virtue of this section, be again permitted, shall give bond to the United States, with approved security, in double the value of the vessel and cargo, that they shall not proceed to any foreign port, nor trade with any country other than those with which commercial intercourse shall have been, or may be permitted by this act.

SEC. 12. *And be it further enacted*, That so much of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and of the several acts supplementary thereto, as forbids the departure of vessels owned by citizens of the United States, and the exportation of domestic and foreign merchandise to any foreign port or place, be and the same is hereby repealed, after the fifteenth day of March, one thousand eight hundred and nine, except so far as they relate to Great Britain or France, or their colonies or dependencies, or places in the actual possession of either: *Provided*, That all penalties and forfeitures which shall have been previously incurred by virtue of so much of the said acts as is repealed by this act, or which have been or may hereafter be incurred by virtue of the said acts, on account of any infraction of so much of the said acts as is not repealed by this act, shall be recovered and distributed in like manner as if the said acts had continued in full force and virtue.

SEC. 13. *And be it further enacted*, That during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and of the several acts supplementary thereto, as is not repealed by this act, no ship or vessel bound to a foreign port, with which commercial intercourse shall, by virtue of this act, be again permitted, shall be allowed to depart for such port, unless the owner or owners, consignee or factor of such ship or vessel, shall, with the master, have given bond with one or more sureties to the United States, in a sum double the value of the vessel and cargo, if the vessel is wholly owned by a citizen or citizens of the United States; and in a sum four times the value, if the vessel is owned in part or in whole by any foreigner or foreigners; that the vessel shall not leave the

port without a clearance, nor shall, when leaving the port, proceed to any port or place in Great Britain or France, or in the colonies or dependencies of either, or in the actual possession of either, nor be directly or indirectly engaged during the voyage in any trade with such port, nor shall put any article on board of any other vessel; nor unless every other requisite and provision of the second section of the act, entitled "An act to enforce and make more effectual an act, entitled 'An act laying an embargo on all ships and vessels in the ports and harbours of the United States,' and the several acts supplementary thereto," shall have been complied with. And the party or parties to the above-mentioned bond, shall, within a reasonable time after the date of the same, to be expressed in the said bond, produce to the collector of the district, from which the vessel shall have been cleared, a certificate of the landing of the same, in the same manner as is provided by law for the landing of goods exported with the privilege of drawback; on failure whereof, the bond shall be put in suit; and in every such suit, judgment shall be given against the defendant or defendants, unless proof shall be produced of such re-landing, or of loss at sea.

SEC. 14. *And be it further enacted*, That so much of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and of the several acts supplementary thereto, as compels vessels owned by citizens of the United States, bound to another port of the said states, or vessels licensed for the coasting trade, or boats, either not masted or not decked, to give bond, and to load under the inspection of a revenue officer, or renders them liable to detention, merely on account of the nature of their cargo, (such provisions excepted as relate to collection districts adjacent to the territories, colonies or provinces of a foreign nation, or to vessels belonging or bound to such districts) be, and the same is hereby repealed, from and after the fifteenth day of March, one thousand eight hundred and nine: *Provided, however*, That all penalties and forfeitures which shall have been previously incurred by any of the said acts, or which may here-

after be incurred by virtue of the said acts, on account of any infraction of so much of the said acts, as is not repealed by this act, shall be recovered and distributed in like manner as if the same had continued in full force and virtue.

SEC. 15. *And be it further enacted*, That during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and of the several acts supplementary thereto, as is not repealed by this act, no vessel owned by citizens of the United States, bound to another port of the said states, or licensed for the coasting trade, shall be allowed to depart from any port of the United States, or shall receive a clearance; nor shall it be lawful to put on board any such vessel any specie, or goods, wares, or merchandise, unless a permit shall have been previously obtained from the proper collector, or from a revenue officer, authorized by the collector to grant such permits; nor unless the owner, consignee, agent, or factor shall, with the master, give bond with one or more sureties, to the United States, in a sum double the value of the vessel and cargo, that the vessel shall not proceed to any foreign port or place, and that the cargo shall be re-landed in some port of the United States: *Provided*, That it shall be lawful and sufficient in the case of any such vessel, whose employment has been uniformly confined to rivers, bays and sounds within the jurisdiction of the United States, to give bond in an amount equal to one hundred and fifty dollars, for each ton of said vessel, with condition that such vessel shall not, during the time limited in the condition of the bond, proceed to any foreign port or place, or put any article on board of any other vessel, or be employed in any foreign trade.

SEC. 16. *And be it further enacted*, That if any ship or vessel shall, during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and of the several acts supplementary thereto, as is not repealed by this act, depart from any port of the United States without a clearance or permit, or having given bond in the manner provided by law, such ship

or vessel, together with her cargo, shall be wholly forfeited; and the owner or owners, agent, freighter or factors, master or commander of such ship or vessel, shall, moreover, severally forfeit and pay a sum equal to the value of the ship or vessel, and of the cargo put on board the same.

SEC. 17. *And be it further enacted*, That the act to prohibit the importation of certain goods, wares and merchandise, passed the eighteenth of April, one thousand eight hundred and six, and the act supplementary thereto, be, and the same are hereby repealed, from and after the said twentieth day of May next: *Provided*, That all penalties and forfeitures which shall have been previously incurred by virtue of the said acts shall be recovered and distributed in like manner as if the said acts had continued in full force and virtue.

SEC. 18. *And be it further enacted*, That all penalties and forfeitures arising under, or incurred by virtue of this act, may be sued for, prosecuted and recovered, with costs of suit, by action of debt, in the name of the United States of America, or by indictment or information, in any court having competent jurisdiction to try the same; and shall be distributed and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine; and such penalties and forfeitures may be examined, mitigated or remitted, in like manner, and under the like conditions, regulations and restrictions, as are prescribed, authorized, and directed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties and disabilities, accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred.

SEC. 19. *And be it further enacted*, That this act shall continue and be in force until the end of the next session of congress, and no longer; and that the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, shall be,

and the same are hereby repealed from and after the end of the next session of congress.

J. B. VARNUM,

Speaker of the House of Representatives.

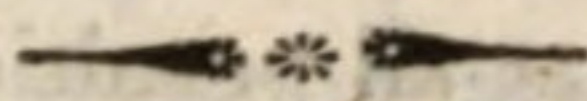
JNO: MILLEDGE,

President of the Senate, pro tempore.

March 1, 1809.

APPROVED,

THOMAS JEFFERSON.



No. II.

An Act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, no British or French armed vessel shall be permitted to enter the harbours or waters under the jurisdiction of the United States; but every British and French armed vessel is hereby interdicted, except when they shall be forced in by distress, by the dangers of the sea, or when charged with despatches or business from their government, or coming as a public packet for the conveyance of letters; in which cases, as well as in all others, when they shall be permitted to enter, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering the harbours or waters of the United States; and shall take such position therein as shall be assigned him by such collector, and shall conform himself, his vessel and crew, to such regulations respecting health, repairs, supplies, stay, intercourse and departure, as shall be signified to him by the said collector, under the authority and directions of the president of the United States, and, not conforming thereto, shall be required to depart from the United States.

SEC. 2. *And be it further enacted,* That all pacific intercourse with any interdicted foreign armed vessels, the officers or crew thereof, is hereby forbidden ; and if any person shall afford any aid to such armed vessel, either in repairing her, or in furnishing her, her officers or crew with supplies of any kind or in any manner whatsoever ; or if any pilot shall assist in navigating the said armed vessel, contrary to this prohibition, unless for the purpose of carrying her beyond the limits and jurisdiction of the United States, the person or persons so offending, shall be liable to be bound to their good behaviour, and shall moreover forfeit and pay a sum not exceeding two thousand dollars, to be recovered upon indictment or information, in any court of competent jurisdiction ; one moiety thereof to the treasury of the United States, and the other moiety to the person who shall give information and prosecute the same to effect : *Provided,* That if the prosecution shall be by a public officer, the whole forfeiture shall accrue to the treasury of the United States.

SEC. 3. *And be it further enacted,* That all the penalties and forfeitures which may have been incurred under the act, entitled “ An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,” and also all the penalties and forfeitures which may have been incurred under the act laying an embargo on all ships and vessels in the ports and harbours of the United States, or under any of the several acts supplementary thereto, or to enforce the same, or under the acts to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes, shall be recovered and distributed, and may be remitted in the manner provided by the said acts respectively, and in like manner as if the said acts had continued in full force and effect.

SEC. 4. *And be it further enacted,* That in case either Great Britain or France shall, before the third day of March next, so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States, which fact the president of the United States shall declare by proclama-

tion; and if the other nation shall not within three months thereafter so revoke or modify her edicts in like manner, then the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," shall, from and after the expiration of three months from the date of the proclamation aforesaid, be revived and have full force and effect, so far as relates to the dominions, colonies and dependencies, and to the articles the growth, produce or manufacture of the dominions, colonies and dependencies of the nation thus refusing or neglecting to revoke or modify her edicts in the manner aforesaid. And the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation revoking or modifying her decrees in the manner aforesaid.

J. B. VARNUM,

Speaker of the House of Representatives.

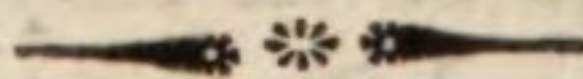
JOHN GAILLARD,

President of the Senate, pro tempore.

May 1, 1810.

APPROVED,

JAMES MADISON.



No. III.

An Act supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no vessel owned wholly by a citizen, or citizens of the United States, which shall have departed from a British port prior to the second day of February one thousand eight hundred and eleven, and no merchandise owned wholly by a citizen or ci-

tizens of the United States, imported in such vessel, shall be liable to seizure or forfeiture, on account of any infraction or presumed infraction of the provisions of the act to which this act is a supplement.

SEC. 2. *And be it further enacted*, That in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the president of the United States shall declare the fact by proclamation; and such proclamation shall be admitted as evidence, and no other evidence shall be admitted, of such revocation or modification, in any suit or prosecution which may be instituted under the fourth section of the act to which this act is a supplement. And the restrictions imposed or which may be imposed by virtue of the said act, shall, from the date of such proclamation, cease and be discontinued.

SEC. 3. *And be it further enacted*, That until the proclamation aforesaid shall have been issued, the several provisions of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," shall have full force and be immediately carried into effect against Great Britain, her colonies and dependencies: *Provided, however*, That any vessel or merchandise which may, in pursuance thereof, be seized, prior to the fact being ascertained, whether Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above-mentioned, shall nevertheless be restored on application of the parties, on their giving bond with approved sureties to the United States, in a sum equal to the value thereof, to abide the decision of the proper court of the United States thereon; and any such bond shall be considered as satisfied, if Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above-mentioned: *Provided also*, That nothing herein contained shall be construed to affect any ships or vessels, or the cargoes of ships or vessels,

wholly owned by a citizen or citizens of the United States, which had cleared out for the Cape of Good Hope, or for any port beyond the same, prior to the tenth day of November, one thousand eight hundred and ten.

J. B. VARNUM,

Speaker of the House of Representatives.

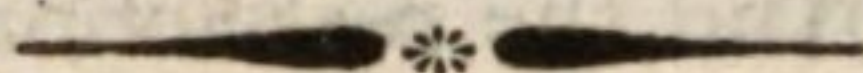
JOHN POPE,

President of the Senate, pro tempore.

March 2, 1811.

APPROVED,

JAMES MADISON.



No. IV.

BERLIN IMPERIAL DECREE.

Imperial Decree declaring the British Isles in a state of blockade.

“Imperial Camp, Berlin, November 21, 1806.

“Napoleon, emperor of the French, and king of Italy, considering :

“1. That England does not admit the right of nations, as universally acknowledged by all civilized people ;

“2. That she declares as an enemy every individual belonging to an enemy state ; and in consequence makes prisoners of war, not only of the crews of *armed* vessels, but those also of *merchant* vessels, and even the supercargoes of the same ;

“3. That she extends or applies to merchant vessels, to articles of commerce, and to the property of individuals, the right of conquest, which can only be applied or extended to what belongs to an enemy state ;

“4. That she extends to ports not fortified, to harbours and mouths of rivers, the *right of blockade*, which, according to

reason and the usages of civilized nations, is applicable only to strong or fortified ports ;

“ 5. That she declares places blockaded, before which she has not a single vessel of war ; although a place ought not to be considered blockaded but when it is so invested as that no approach to it can be made without imminent hazard ; that she declares even places blockaded which her united forces would be incapable of doing, such as entire coasts, and a whole empire ;

“ 6. That this unequalled abuse of the right of blockade has no other object than to interrupt the communication of different nations, and to extend the commerce and industry of England upon the ruin of those of the continent ;

“ 7. That this being the evident design of England, whoever deals on the continent in English merchandise, favours that design, and becomes an accomplice ;

“ 8. That this conduct in England (worthy only of the first ages of barbarism) has benefited her to the detriment of other nations ;

“ 9. That it being right to oppose to an enemy the same arms she makes use of ; to combat as she does ; when all ideas of justice, and every liberal sentiment (the result of civilization among men) are disregarded :

“ We have resolved to enforce against England the usages which she has consecrated in her maritime code.

“ The present decree shall be considered as the fundamental law of the empire, until England has acknowledged that the *rights of war* are the same on land as at sea ; that they cannot be extended to any private property whatever, nor to persons who are not military, and until the right of blockading be restrained to fortified places actually invested by competent forces.

“ Article 1. The British islands are in a state of blockade.

“ 2. All commerce and correspondence with them is prohibited. Consequently, all letters or packets written *in England*, or *to an Englishman*, *written in the English language*, shall not be despatched from the post-offices ; and shall be seized.

“ 3. Every individual, a subject of Great Britain, of whatever rank or condition, who is found in countries occupied by our troops or those of our allies, shall be made prisoner of war.

“ 4. Every warehouse, all merchandise or property whatever, belonging to an Englishman, are declared good prize.

“ 5. One half of the proceeds of merchandise declared to be good prize, and forfeited as in the preceding articles, shall go to indemnify merchants who have suffered losses by the English cruisers.

“ 6. No vessel coming directly from England or her colonies, or having been there since the publication of this decree, shall be admitted into any port.

“ 7. Every vessel that, by a false declaration, contravenes the foregoing disposition, shall be seized, and the ship and cargo confiscated as English property.

“ 8. [This article states, that the councils of prizes at Paris and at Milan shall have recognizance of what may arise in the empire and in Italy under the present article.]

“ 9. Communications of this decree shall be made to the kings of Spain, Naples, Holland, Etruria, and to our other allies, whose subjects, as well as ours, are victims of the injuries and barbarity of the English maritime code.

“ 10. Our ministers of foreign relations, &c. are charged with the execution of the present decree.

“ NAPOLEON.”

No. V.

BRITISH ORDERS IN COUNCIL.

At a Court at the Queen's Palace, the 7th of January, 1807, present, the King's most excellent Majesty, in Council.

“ WHEREAS the French government has issued certain orders, which, in violation of the usages of war, purport to prohibit the commerce of all neutral nations with his majesty's dominions, and also to prevent such nation from trading with any other country in any articles, the growth, produce or manufacture of his majesty's dominions; and whereas the said

government has also taken upon itself to declare all his majesty's dominions to be in a state of blockade, at a time when the fleets of France and her allies are themselves confined within their own ports by the superior valour and discipline of the British navy ; and whereas such attempts, on the part of the enemy, would give to his majesty an unquestionable right of retaliation, and would warrant his majesty in enforcing the same prohibition of all commerce with France, which that power vainly hopes to effect against the commerce of his majesty's subjects ; a prohibition which the superiority of his majesty's naval forces might enable him to support, by actually investing the ports and coasts of the enemy with numerous squadrons and cruisers, so as to make the entrance or approach thereto manifestly dangerous ; and whereas his majesty, though unwilling to follow the example of his enemies, by proceeding to an extremity so distressing to all nations not engaged in the war, and carrying on their accustomed trade, yet feels himself bound by a due regard to the just defence of the rights and interests of his people, not to suffer such measures to be taken by the enemy, without taking some steps on his part to restrain this violence, and to retort upon them the evils of their own injustice ; his majesty is thereupon pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that no vessel shall be permitted to trade from one port to another, both which ports shall belong to, or be in the possession of France or her allies, or shall be so far under their control as that British vessels may not trade freely thereat ; and the commanders of his majesty's ships of war and privateers shall be, and are hereby instructed to warn every neutral vessel coming from any such port, and destined to another such port, to discontinue her voyage, and not to proceed to any such port ; and any vessel, after being so warned, or any vessel coming from any such port, after a reasonable time shall have been afforded for receiving information of this his majesty's order, which shall be found proceeding to another such port, shall be captured and brought in, and, together with her cargo, shall be condemned as lawful prize ; and his majesty's principal secretaries of state, the lords com-

missioners of the admiralty, and the judges of the high court of admiralty and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain.

“ (Signed)

W. FAWKENER.”

No. VI.

*At the Court of the Queen's Palace, the 11th of November, 1807,
present, the King's most excellent Majesty, in Council.*

“ Whereas certain orders, establishing an unprecedented system of warfare against this kingdom, and aimed especially at the destruction of its commerce and resources, were some time since issued by the government of France, by which the British Islands were declared to be in a state of blockade; thereby subjecting to capture and condemnation all vessels, with their cargoes, which should continue to trade with his majesty's dominions :

“ And whereas, by the same orders, all trading in English merchandise is prohibited : and every article of merchandise belonging to England, or coming from her colonies, or of her manufacture, is declared lawful prize.

“ And whereas the nations in alliance with France, and under her control, were required to give, and have given, and do give, effect to such orders :

“ And whereas his majesty's order, of the seventh of January last, has not answered the desired purpose, either of compelling the enemy to recall those orders, or of inducing neutral nations to interpose, with effect, to obtain their revocation ; but, on the contrary, the same have been recently enforced with increased rigour :

“ And whereas his majesty, under these circumstances, finds himself compelled to take further measures for asserting and vindicating his just rights, and for supporting that maritime power which the exertions and valour of his people have, under the blessing of Providence, enabled him to establish and maintain ; and the maintenance of which is not more essential

to the safety and prosperity of his majesty's dominions, than it is to the protection of such states as still retain their independence, and to the general intercourse and happiness of mankind.

“ His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all the ports and places of France and her allies, or of any other country at war with his majesty, and all other ports or places in Europe, from which, although not at war with his majesty, the British flag is excluded, and all ports or places in the colonies belonging to his majesty's enemies, shall, from henceforth, be subject to the same restrictions in point of trade and navigation, with the exceptions hereinafter mentioned, as if the same were actually blockaded by his majesty's naval forces, in the most strict and rigorous manner. And it is hereby further ordered and declared, that all trade in articles which are of the produce or manufacture of the said countries or colonies, shall be deemed and considered to be unlawful; and that every vessel trading from or to the said countries or colonies, together with the goods and merchandise on board, and all articles of the produce or manufacture of the said countries or colonies, shall be captured and condemned as prize to the captors.

“ But although his majesty would be fully justified, by the circumstances and considerations above recited, in establishing such a system of restrictions with respect to all the countries and colonies of his enemies, without exception or qualification; yet his majesty, being nevertheless desirous not to subject neutrals to any greater inconvenience than is absolutely inseparable from the carrying into effect his majesty's just determination to counteract the designs of his enemies, and to retort upon themselves the consequences of their own violence and injustice; and being yet willing to hope that it may be possible (consistently with that object) still to allow to neutrals the opportunity of furnishing themselves with colonial produce for their own consumption and supply; *and even to leave open, for the present,* **SUCH TRADE WITH HIS MAJESTY'S ENEMIES AS SHALL BE CARRIED**

ON DIRECTLY WITH THE PORTS OF HIS MAJESTY'S DOMINIONS, OR OF HIS ALLIES, in the manner hereinafter mentioned.

“ His majesty is therefore pleased further to order, and it is hereby ordered, that nothing herein contained shall extend to subject to capture or condemnation any vessel, or the cargo of any vessel, belonging to any country not declared by this order to be subjected to the restrictions incident to a state of blockade, which shall have cleared out with such cargo from some port or place of the country to which she belongs, either in Europe or America, or from some free port in his majesty's colonies, under circumstances in which such trade from such free port is permitted, direct to some port or place in the colonies of his majesty's enemies, or from those colonies direct to the country to which such vessel belongs, or to some free port in his majesty's colonies, in such cases, and with such articles, as it may be lawful to import into such free port ; nor to any vessel, or cargo of any vessel, belonging to any country not at war with his majesty, which shall have cleared out from some port or place in this kingdom, or from Gibraltar or Malta, under such regulations as his majesty may think fit to prescribe, or from any port belonging to his majesty's allies, and shall be proceeding direct to the port specified in her clearance ; nor to any vessel, or the cargo of any vessel, belonging to any country not at war with his majesty, which shall be coming from any port or place in Europe, which is declared by this order to be subject to the restrictions incident to a state of blockade, **DESTINED TO SOME PORT OR PLACE IN EUROPE BELONGING TO HIS MAJESTY**, and which shall be on her voyage direct thereto ; but these exceptions are not to be understood as excepting from capture or confiscation any vessel or goods which may be liable thereto, in respect of having entered or departed from any port or place actually blockaded by his majesty's squadrons or ships of war, or for being enemies' property, or for any other cause than the contravention of this present order.

“ And the commanders of his majesty’s ships of war and privateers, and other vessels acting under his majesty’s commission, shall be, and are hereby instructed, to warn any vessel, which shall have commenced her voyage prior to any notice of this order, and shall be destined to any port of France, or of her allies, or of any other country at war with his majesty, or to any port or place from which the British flag, as aforesaid, is excluded, or to any colony belonging to his majesty’s enemies, and which shall not have cleared out, as is herein before allowed, to discontinue her voyage, and to proceed to some port or place in this kingdom, or to Gibraltar or Malta. And any vessel which, after having been so warned, or after a reasonable time shall have been afforded for the arrival of information of this his majesty’s order to any port or place from which she sailed, or which, after having notice of this order, shall be found in the prosecution of any voyage contrary to the restrictions contained in this order, shall be captured, and, together with her cargo, condemned as lawful prize to the captors.

“ And whereas countries not engaged in the war have acquiesced in the orders of France, prohibiting all trade in any articles the produce or manufacture of his majesty’s dominions; and the merchants of those countries have given countenance and effect to those prohibitions, by accepting from persons styling themselves commercial agents of the enemy, resident at neutral ports, certain documents, termed “*certificates of origin*,” being certificates obtained at the ports of shipment, *declaring that the articles of the cargo are not of the produce or manufacture of his majesty’s dominions, or to that effect.*

“ And whereas this expedient has been directed by France, and submitted to by such merchants, as part of the new system of warfare directed against the trade of this kingdom, and as the most effectual instrument of accomplishing the same; and it is therefore essentially necessary to resist it.

“ His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that if any vessel, after a reasonable time shall have been afforded for

receiving notice of this his majesty's order, at the port or place from which such vessel shall have cleared out, *shall be found carrying any such certificate or document as aforesaid, or any document referring to or authenticating the same*, such vessel shall be adjudged lawful prize to the captors, together with the goods laden therein, belonging to the person or persons by whom, or on whose behalf, any such document was put on board.

“And the right honourable the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice-admiralty, are to take the necessary measures herein, as to them shall respectively appertain.

“W. FAWKENER.”

No. VII.

MILAN IMPERIAL DECREE.

Rejoinder to his Britannic majesty's Order in Council, of the 11th November, 1807. At our Royal Palace at Milan, December 17, 1807.

“Napoleon, emperor of the French, king of Italy, and protector of the Rhenish confederation :

“Observing the measures adopted by the British government, on the 11th November last, by which vessels belonging to neutral, friendly, or even powers the allies of England, are made liable, not only to be searched by English cruisers, but to be compulsorily detained in England, and to have a tax laid on them of so much per cent. on the cargo, to be regulated by the British legislature :

“Observing that by these acts the British government *denationalises* ships of every nation in Europe ; that it is not competent for any government to detract from its own independence and rights ; all the sovereigns of Europe having in trust the sovereignties and independence of the flag ; and that if, by an unpardonable weakness, and which in the eyes of

posterity would be an indelible stain, such a tyranny were allowed to be established into principles, and consecrated by usages, the English would avail themselves of it to assert it as a right, as they have availed themselves of the tolerance of governments, to establish the infamous principle, that the flag of a nation does not cover goods, and to give to their right of blockade an arbitrary extension, which infringes on the sovereignty of every state ; we have decreed, and do decree as follows :

“ I. Every ship, to whatever nation it may belong, that shall have submitted to be searched by an English ship, or on a voyage to England, or shall have paid any tax whatsoever to the English government, is thereby, and for that alone, declared to be *denationalised* ; to have forfeited the protection of its king ; and to have become English property.

“ II. Whether the ships, thus *denationalised* by the arbitrary measures of the English government, enter into our ports, or those of our allies, or whether they fall into the hands of our ships of war, or of our privateers, they are declared to be good and lawful prize.

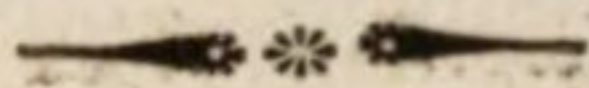
“ III. The British islands are declared to be in a state of blockade, both by land and sea. Every ship, of whatever nation, or whatsoever the nature of its cargo may be, that sails from the ports of England, or those of the English colonies, and of the countries occupied by English troops, and proceeding to England, or to the English colonies, or to countries occupied by English troops, is good and lawful prize, as contrary to the present decree ; and may be captured by our ships of war, or our privateers, and adjudged to the captor.

“ IV. These measures, which are resorted to only in just retaliation of the barbarous system adopted by England, which assimilates its legislation to that of Algiers, shall cease to have any effect with respect to all nations who shall have the firmness to compel the English government to respect their flag. They shall continue to be rigorously in force as long as that government does not return to the principle of the law of nations which regulates the relations of civilized states in a state of war. The provisions of the present decree shall be abro-

gated and null in fact, as soon as the English abide again by the principles of the law of nations, which are also the principles of justice and honour.

“All our ministers are charged with the execution of the present decree, which shall be inserted in the bulletin of the laws.

“NAPOLEON,”



No. VIII.

ORDER IN COUNCIL.

*At a Court at the Queen's Palace, the 26th of April, 1809 ;
present, the King's most excellent Majesty, in Council.*

“WHEREAS, his majesty, by his order in council, of the 11th of Nov. 1807, was pleased, for reasons assigned therein, to order, that “all the ports and places of France, and her allies, and any other country at war with his majesty, and all other ports or places in Europe, from which, although not at war with his majesty, the British flag is excluded, and all ports and places, in the colonies belonging to his majesty's enemies, should from thenceforth be subject to the same restrictions, in point of trade and navigation, as if the same were actually blockaded, in the most strict and rigorous manner,” and, also, to prohibit “all trade in articles, which are the produce or manufacture of the said countries or colonies ;”

“And whereas his majesty, having been, nevertheless, desirous not to subject those countries, which were in alliance or amity with his majesty, to any greater inconvenience, than was absolutely inseparable from carrying into effect his majesty's just determination to counteract the designs of his enemies, did make certain exceptions and modifications expressed in the said order of the 11th November, and the 18th of December, 1807, and the 30th of March, 1808.

“And whereas, in consequence of divers events, which have taken place, since the date of the first mentioned order, affecting the relations between Great Britain and the territories of

other powers, it is expedient, that sundry parts and provisions of the said orders should be altered or revoked.

“ His majesty is, therefore, pleased, by and with the advice of his privy council, to revoke and annul the said several orders, except as herein after expressed, and so much of the said several orders, except as aforesaid, is revoked accordingly.

“ And his majesty is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all the ports and places, as far north as the river Ems, inclusively, under the government, styling itself the kingdom of Holland, and all posts and places under the government of France, together with the colonies, plantations, and settlements, in possession of those governments, respectively, and all ports and places in the northern part of Italy, to be reckoned from the ports of Orbitello and Pesaro inclusively, shall continue to be subject to the same restrictions, in point of trade and navigation, without any exception, as if the same were actually blockaded, by his majesty's naval force, in the most strict and rigorous manner; and that every vessel, trading from and to the said countries, or colonies, plantations or settlements, together with all goods and merchandise on board, shall be condemned, as prize, to the captors.

“ And his majesty is further pleased to order, and it is hereby ordered, that this order shall have effect, from the day of the date thereof, with respect to any ship, together with its cargo, which may be captured, subsequent to such day, on any voyage, which is and shall be rendered legal by this order, although such voyage, at the time of the commencement of the same, was unlawful and prohibited under the same former orders; and such ships, when brought in, shall be released accordingly; and with respect to all ships, together with their cargoes, which may be captured in any voyage, which was permitted under the exceptions of the orders above mentioned, but which is not permitted according to the provisions of this order, his majesty is pleased to order, and it is hereby ordered, that such ships and their cargoes shall not be liable to condemnation, unless they shall have received actual notice of the present order, before such capture; or in default of such no-

tice, until after the expiration of the like intervals, from the date of this order, as were allowed, for constructive notice, in the orders of the 25th of November, 1807, and the 18th of May, 1808, at the several places and latitudes therein mentioned.

“And the right honourable, the lords commissioners of his majesty’s treasury, his majesty’s principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and judges of the courts of vice-admiralty, are to give the necessary directions, as to them may respectively appertain.

“STEPH. COTTRELL.”

No. IX.

ORDERS IN COUNCIL REVOKED.

At the Court at Carlton house, the 23d day of June, 1812, present, his royal highness the Prince Regent, in Council.

“WHEREAS, his royal highness the prince regent was pleased to declare, in the name and on behalf of his majesty, on the 21st of April, 1812, “That if, at any time hereafter, the Berlin and Milan decrees shall by some authentic act of the French government, publicly promulgated, be absolutely and unconditionally repealed, then, and from thence, the order in council of the 7th of January, 1807, and the order in council of the 26th of April, 1809, shall, without any further order, be, and the same are hereby declared, from thenceforth, to be wholly and absolutely revoked.”

“And whereas the charge des affaires of the United States of America, resident at this court, did, on the 21st of May last, transmit to lord viscount Castlereagh, one of his majesty’s principal secretaries, a copy of a certain instrument, then for the first time communicated to this court, purporting to be a decree passed by the government of France, on the 28th day of April, 1811, by which the decrees of Berlin and Milan are declared to be definitely no longer in force in regard to American vessels :

“ And whereas his royal highness the prince regent, although he cannot consider the tenor of said instrument as satisfying the conditions set forth in the said order of the 21st of April last, upon which the said orders were to cease and to determine, is nevertheless disposed, on his part, to take such measures as may tend to re-establish the intercourse between neutral and belligerent nations, upon its accustomed principles; his royal highness the prince regent, in the name and on the behalf of his majesty, is therefore pleased, by and with the advice of his majesty's privy council, to order and declare, and it is hereby ordered and declared, that the order in council, bearing date the 7th day of January, 1807, and the order in council, bearing date the 26th of April, 1809, be revoked, so far as may regard American vessels and their cargoes, being American property, from the 1st day of August next.

“ But whereas, by certain acts of the government of the United States of America, all British armed vessels are excluded from the harbours and waters of the said United States, the armed vessels of France being permitted to enter therein, and the commercial intercourse between Great Britain and the said United States is interdicted, the commercial intercourse between France and the said United States having been restored; his royal highness the prince regent is pleased hereby further to declare, in the name and on the behalf of his majesty, that if the government of the said United States shall not, as soon as may be, after this order shall have been duly notified, by his majesty's minister in America, to the said government, revoke or cause to be revoked the said acts, this present order shall, in that case, after clear notice signified by his majesty's minister in America, to the said government, be thenceforth null and of no effect.

“ It is further ordered and declared, that all American vessels and their cargoes, being American property, that shall have been captured subsequently to the 28th of May last, for a breach of the aforesaid orders in council alone, and which shall not have been actually condemned before the date of this order, and that all ships and cargoes as aforesaid, that shall henceforth be captured under the said orders, prior to the 1st

day of August next, shall not be proceeded against to condemnation, until further orders ; but shall, in the event of this order not becoming null and of no effect, in the case aforesaid, be forthwith liberated and restored, subject to such reasonable expenses, on the part of the captors, as shall have been justly incurred.

“ Provided that nothing in this order contained, respecting the revocation of the orders herein mentioned, shall be taken to revive wholly, or in part, the orders in council of the 11th of November, 1807, or any other order not herein mentioned, or to deprive parties of any legal remedy, to which they may be entitled, under the order in council, of the 21st of April, 1812.

“ His royal highness the prince regent is hereby pleased further to declare, in the name, and on the behalf of his majesty, that nothing in the present order contained shall be understood to preclude his royal highness the prince regent, if circumstances shall so require, from restoring, after reasonable notice, the orders of the 7th of January, 1807, and the 26th of April, 1809, or any part thereof, to their full effect, or from taking such other measures of retaliation against the enemy, as may appear to his royal highness to be just and necessary.

“ And the right honourable the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judge of the high court of admiralty, and the judge of the court of vice-admiralty, are to take the necessary measures herein, as to them may respectively appertain.”

No. X.

JAMES MADISON,

PRESIDENT OF THE UNITED STATES OF AMERICA ;

To all and singular to whom these presents shall come, greeting.

WHEREAS a treaty of peace and amity between the United States of America, and his Britannic majesty, was signed at Ghent, on the twenty-fourth day of December, one thousand eight hundred and fourteen, by plenipotentiaries respectively appointed for that purpose ; and the said treaty having been, by and with the advice and consent of the senate of the United States, duly accepted, ratified and confirmed, on the seventeenth day of February, one thousand eight hundred and fifteen ; and ratified copies thereof having been exchanged, agreeably to the tenor of the said treaty, which is in the words following, to wit :

TREATY OF PEACE AND AMITY

BETWEEN

HIS BRITANNIC MAJESTY AND THE UNITED STATES OF
AMERICA.

His Britannic majesty and the United States of America, desirous of terminating the war which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship, and good understanding between them, have, for that purpose, appointed their respective plenipotentiaries, that is to say : his Britannic majesty, on his part, has appointed the right honourable James Lord Gambier, late admiral of the white, now admiral of the red squadron of his majesty's fleet, Henry Goulburn, Esquire, a member of the imperial parliament, and under secretary of state, and William Adams, Esquire, doctor of civil laws : and the president of the United States, by and with the advice

and consent of the senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, citizens of the United States, who, after a reciprocal communication of their respective full powers, have agreed upon the following articles :

ARTICLE THE FIRST.

There shall be a firm and universal peace between his Britannic majesty and the United States, and between their respective countries, territories, cities, towns, and people, of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease as soon as this treaty shall have been ratified by both parties, as hereinafter mentioned. All territory, places, and possessions whatsoever, taken by either party from the other, during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property, originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property. And all archives, records, deeds, and papers, either of a public nature, or belonging to private persons, which, in the course of the war, may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the bay of Passamaquoddy as are claimed by both parties, shall remain in the possession of the party in whose occupation they may be, at the time of the exchange of the ratifications of this treaty, until the decision, respecting the title to the said islands, shall have been made in conformity with the fourth article of this treaty. No disposition made by this treaty, as to such possession of the islands and territories claimed by both parties, shall, in any manner whatever, be construed to affect the right of either.

ARTICLE THE SECOND.

Immediately after the ratifications of this treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects and citizens, of the two powers, to cease from all hostilities. And to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea, after the said ratifications of this treaty, it is reciprocally agreed, that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America, from the latitude of twenty-three degrees north, to the latitude of fifty degrees north, and as far eastward in the Atlantic Ocean, as the thirty-sixth degree of west longitude from the meridian of Greenwich, shall be restored on each side ; that the time shall be thirty days in all other parts of the Atlantic Ocean, north of the equinoctial line or equator ; and the same time for the British and Irish channels, for the Gulf of Mexico and all parts of the West Indies ; forty days for the North Seas, for the Baltic, and for all parts of the Mediterranean ; sixty days for the Atlantic Ocean south of the equator, as far as the latitude of the Cape of Good Hope ; ninety days for every other part of the world south of the equator ; and one hundred and twenty days for all other parts of the world, without exception.

ARTICLE THE THIRD.

All prisoners of war, taken on either side, as well by land as by sea, shall be restored as soon as practicable, after the ratifications of this treaty, as hereinafter mentioned, on their paying the debts which they may have contracted during their captivity. The two contracting parties respectively engage to discharge, in specie, the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

ARTICLE THE FOURTH.

Whereas it was stipulated by the second article in the treaty of peace, of one thousand seven hundred and eighty-three,

between his Britannic majesty and the United States of America, that the boundary of the United States should comprehend all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia, on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean, excepting such islands as now are, or heretofore have been, within the limits of Nova Scotia; and whereas the several islands in the bay of Passamaquoddy, which is part of the bay of Fundy, and the island of Grand Menan, in the said bay of Fundy, are claimed by the United States, as being comprehended within their aforesaid boundaries, which said islands are claimed as belonging to his Britannic majesty, as having been, at the time of, and previous to, the aforesaid treaty of one thousand seven hundred and eighty-three, within the limits of the province of Nova Scotia. In order, therefore, finally to decide upon these claims, it is agreed that they shall be referred to two commissioners, to be appointed in the following manner, viz. one commissioner shall be appointed by his Britannic majesty, and one by the president of the United States, by and with the advice and consent of the senate thereof; and the said two commissioners, so appointed, shall be sworn impartially to examine and decide upon the said claims, according to such evidence as shall be laid before them, on the part of his Britannic majesty and of the United States respectively. The said commissioners shall meet at Saint Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall, by a declaration or report under their hands and seals, decide to which of the two contracting parties the several islands aforesaid do respectively belong, in conformity with the true intent of the said treaty of peace, of one thousand seven hundred and eighty-three. And if the said commissioners shall agree in their decision, both parties shall consider such decision as final and conclusive. It is further agreed, that in the event of the two commissioners differing upon all or any of the matters so

referred to them, or in the event of both or either of the said commissioners refusing, or declining, or wilfully omitting, to act as such, they shall make, jointly or separately, a report or reports, as well to the government of his Britannic majesty as to that of the United States, stating in detail the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they, or either of them, have so refused, declined, or omitted to act. And his Britannic majesty, and the government of the United States, hereby agree to refer the report or reports of the said commissioners, to some friendly sovereign or state, to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one commissioner, together with the grounds upon which the other commissioner shall have refused, declined, or omitted to act, as the case may be. And if the commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly sovereign or state, together with the report of such other commissioner, then such sovereign or state shall decide, *ex parte*, upon the said report alone. And his Britannic majesty and the government of the United States engage to consider the decision of such friendly sovereign or state, to be final and conclusive, on all the matters so referred.

ARTICLE THE FIFTH.

Whereas neither that point of the highlands lying due north from the source of the river St. Croix, and designated in the former treaty of peace between the two powers as the north-west angle of Nova Scotia, nor the north-westernmost head of Connecticut river, has yet been ascertained; and whereas that part of the boundary line between the dominions of the two powers, which extends from the source of the river St. Croix directly north, to the above-mentioned north-west angle of Nova Scotia, thence along the said highlands, which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, to

the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude ; thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraguy, has not yet been surveyed : it is agreed, that, for these several purposes two commissioners shall be appointed, sworn, and authorized to act exactly in the manner directed, with respect to those mentioned in the next preceding article, unless otherwise specified in the present article. The said commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall have power to ascertain and determine the points above-mentioned, in conformity with the provisions of the said treaty of peace of one thousand seven hundred and eighty-three ; and shall cause the boundary aforesaid, from the source of the river St. Croix to the river Iroquois or Cataraguy, to be surveyed and marked according to the said provisions. The said commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the north-west angle of Nova Scotia, of the north-westernmost head of Connecticut river, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And, in the event of the said two commissioners differing, or both, or either of them, refusing, declining, or wilfully omitting to act, such reports, declarations, or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state, shall be made, in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SIXTH.

Whereas, by the former treaty of peace, that portion of the boundary of the United States, from the point where the forty,

fifth degree of north latitude strikes the river Iroquois or Cataraguy to the Lake Superior, was declared to be "along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication, by water, between that lake and Lake Erie, thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication into the Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior." And whereas doubts have arisen what was the middle of the said river, lakes and water communications, and whether certain islands, lying in the same, were within the dominions of his Britannic majesty, or of the United States: In order, therefore, finally to decide these doubts, they shall be referred to two commissioners, to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in this present article. The said commissioners shall meet, in the first instance, at Albany, in the state of New York, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall, by a report or declaration, under their hands and seals, designate the boundary through the said river, lakes, and water communications, and decide to which of the two contracting parties the several islands, lying within the said rivers, lakes, and water communications, do respectively belong, in conformity with the true intent of the said treaty of one thousand seven hundred and eighty-three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the two said commissioners differing, or both, or either of them, refusing, declining, or wilfully omitting to act, such reports, declarations or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SEVENTH.

It is further agreed that the said two last mentioned commissioners, after they shall have executed the duties assigned to them in the preceding article, shall be, and they are hereby authorized, upon their oaths, impartially to fix and determine, according to the true intent of the said treaty of peace, of one thousand seven hundred and eighty-three, that part of the boundary between the dominions of the two powers, which extends from the water communication between Lake Huron and Lake Superior, to the most north-western point of the Lake of the Woods; to decide to which of the two parties the several islands lying in the lakes, water communications, and rivers, forming the said boundary, do respectively belong, in conformity with the true intent of the said treaty of peace, of one thousand seven hundred and eighty-three; and to cause such parts of the said boundary, as require it, to be surveyed and marked. The said commissioners shall, by a report or declaration, under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the latitude and longitude of the most north-western point of the Lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And, in the event of the said two commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state, shall be made in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE EIGHTH.

The several boards of two commissioners mentioned in the four preceding articles, shall respectively have power to appoint a secretary, and to employ such surveyors or other

persons as they shall judge necessary. Duplicates of all their respective reports, declarations, statements and decisions, and of their accounts, and of the journal of their proceedings, shall be delivered by them to the agents of his Britannic majesty, and to the agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective governments. The said commissioners shall be respectively paid in such manner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the exchange of the ratifications of this treaty. And all other expenses attending the said commissions shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such commissioner, respectively, shall be supplied in the same manner as such commissioner was first appointed; and the new commissioner shall take the same oath or affirmation, and do the same duties. It is further agreed between the two contracting parties, that in case any of the islands mentioned in any of the preceding articles, which were in the possession of one of the parties prior to the commencement of the present war between the two countries, should, by the decision of any of the boards of commissioners aforesaid, or of the sovereign or state so referred to, as in the four next preceding articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war, by the party having had such possession, shall be as valid as if such island or islands had, by such decision or decisions, been adjudged to be within the dominions of the party having had such possession.

ARTICLE THE NINTH.

The United States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratification; and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges, which they may have enjoyed or

been entitled to in one thousand eight hundred and eleven, previous to such hostilities : *Provided always*, That such tribes or nations shall agree to desist from all hostilities, against the United States of America, their citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And his Britannic majesty engages, on his part, to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom he may be at war at the time of such ratification, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges, which they may have enjoyed or been entitled to, in one thousand eight hundred and eleven, previous to such hostilities : *Provided always*, That such tribes or nations shall agree to desist from all hostilities against his Britannic majesty, and his subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.

ARTICLE THE TENTH.

Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice ; and whereas both his majesty and the United States are desirous of continuing their efforts to promote its entire abolition ; it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish so desirable an object.

ARTICLE THE ELEVENTH.

This treaty, when the same shall have been ratified on both sides, without alteration by either of the contracting parties, and the ratifications mutually exchanged, shall be binding on both parties, and the ratifications shall be exchanged at Washington, in the space of four months from this day, or sooner, if practicable.

IN FAITH WHEREOF, we, the respective plenipotentiaries, have signed this treaty, and have thereunto affixed our seals.

Done, in triplicate, at Ghent, the twenty-fourth day of December, one thousand eight hundred and fourteen.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

GAMBIER,

HENRY GOULBURN,

WILLIAM ADAMS,

JOHN QUINCY ADAMS,

J. A. BAYARD,

H. CLAY,

JONA. RUSSELL,

ALBERT GALLATIN.

Now, therefore, to the end that the said treaty of peace and amity may be observed with good faith, on the part of the United States, I, James Madison, president as aforesaid, have caused the premises to be made public; and I do hereby enjoin all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the
(SEAL.) United States to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington, this eighteenth day of February, in the year of our Lord one thousand eight hundred and fifteen, and of the sovereignty and independence of the United States, the thirty-ninth.

JAMES MADISON.

By the President,
JAMES MONROE,
Acting Secretary of State.

INDEX.

A

- ABORIGINES**, their customs and manners, i. 40.
Alexandria, capitulation of, iii. 405.
Alert, British ship, taken, iii. 241.
Allen, captain, iii. 311.
America, discovered, i. 30.
 North, discovered, i. 36.
 Its productions, i. 39.
Americus Vesputius, i. 30.
Andre, major, ii. 379.
Andross, governor, i. 89, 108, 159, 162.
Argall, captain, destroys the French settlements, i. 293.
Argus, American brig, captured, iii. 311.
Armistice proposed, iii. 251.
Army of the Revolution organized, ii. 45, 46, 97.
 State of, ii. 97, 139, 143, 154, 184, 402.
 Discharged, iii. 20, 22.
 Of the United States, iii. 193.
Arnold, Benedict, ii. 53, 55, 185, 377.

B

- Bacon**, Nathaniel, heads an insurrection, i. 66.
Bainbridge, commodore, iii. 248.
Baltimore, lord, obtains a grant of Maryland, i. 143.
 his wise system, i. 144.
Baltimore, city of, riot at, iii. 181.
 attack on, iii. 407.
Bank of the United States established, iii. 71.
Barbary states, hostile relations with, iii. 118.
Barney, commodore, commands a flotilla, iii. 398.
 taken prisoner, iii. 401, 402.
Battle of Ticonderoga, i. 314.—Of Quebec, i. 316.—Of Lexington, ii. 14.—Of Bunker's Hill, ii. 28.—Of Quebec, ii. 69.—Of Flatbush, ii. 126.—Of Trenton, ii. 144.—Of Princeton, ii. 147.—Of Brandywine, ii. 192.

- Of Germantown, ii. 197.—Of Bennington, ii. 223.—Of Stillwater, ii. 227, 229.—Of Monmouth, ii. 265.—Of Stoney Point, ii. 289.—Of Camden, ii. 347.—Of King's Mountain, ii. 359.—Of Cowpens, ii. 417.—Of Guilford, ii. 425.—Of Eutaw Springs, ii. 436.—Of Tippecanoe, iii. 186.—Of Maguaga, iii. 207.—Of Queens-town, iii. 231.—Of Raisin, iii. 267.—Of York, iii. 283.—Of the Thames, iii. 324.—Of Williamsburg, iii. 332.—With the Creeks, 356, 357, 361.—Of Chippewa, iii. 370.—Of Niagara, iii. 373.—Of Plattsburg, iii. 413.—Of Bladensburg, iii. 401.—Of North Point, iii. 406.—Of New Orleans, iii. 424.
Berkely, Sir William, governor of Virginia, i. 60, 69.
Berlin and Milan Decrees enacted by the emperor of France, iii. 139.—Repealed, iii. 152.
Biddle, captain Nicholas, ii. 281.
 James, iii. 392.
Bladensburg, battle of, iii. 401.
Bærstler, colonel, captured, iii. 289.
Boston, riot at, i. 363. Destruction of tea at, i. 374. Port shut up, i. 378. Blockaded by the American army, ii. 98. Evacuated by the British, ii. 102.
Bowyer, fort, attack on, iii. 417. Capture of, iii. 426.
Boxer, British brig, captured, iii. 312.
Boyd, general, iii. 290, 332.
Braddock, general, defeated, i. 308.
Bradford, William, governor of Plymouth, i. 77, 78.
Brandywine, battle of, ii. 192.
Breed's Hill, battle of, ii. 28.
Brown, general, iii. 366, &c.
Brownstown, skirmish at, iii. 206.
Burlington (New Jersey) settled, i. 213.
Burgoyne, general, commands the British army, ii. 209. Advances to the Hudson, ii. 216. Defeated at Saratoga, ii. 229. Surrenders to general Gates, ii. 234.

Burnet, William, governor of New Jersey, &c. i. 207.

Burr, Aaron, elected vice-president, iii. 131. His conspiracy, iii. 133. Tried and acquitted, iii. 137.

Burroughs, captain, his victory and death, iii. 312.

C

Cabot, Sebastian, takes possession of North America, i. 36.

Calvert, Leonard, first governor of Maryland, i. 142.

Camden, battle of, ii. 347.

Canada, a source of trouble to the province of New England, i. 115. Its reduction contemplated, i. 117, 170, 296, 315. Invasion and conquest of, i. 316. Invaded by the continental army, ii. 56, 60, 62, 69. By the army of the United States, iii. 203.

Carleton, Sir Guy, exerts himself to oppose general Montgomery, i. 65. His humane conduct, i. 75.

Carteret, Philip, appointed governor of New Jersey, i. 210. His proceedings, 212—13.

Carver, John, first governor of Plymouth, his adventures, i. 75, 76, 77.

Castine, capture of, iii. 397.

Chad's Ford, battle at, ii. 192.

Champlain, lake, engagements on, ii. 81. iii. 413.

Charles I. his policy with respect to Virginia, i. 58, 65.

Charles II. endeavours to destroy the charters of New England, i. 88. Grants a large tract of country to William Penn, i. 220.

Charlestown (Massachusetts) settled, i. 79. Burnt, ii. 29.

Charleston (South Carolina) attempt on by the Spaniards, i. 298. By the British, ii. 112. Siege and capture of, ii. 335, 338.

Chatham, lord, his eloquent speeches, i. 427, 428, 430.

Chauncey, commodore, iii. 368.

Chesapeake, Bay, operations of the British fleet in, iii. 297, 397.

Frigate, attack on by a British ship, iii. 141, 146. Engages, and is captured by, the British frigate Shannon, iii. 308.

Chippewa, battle of, iii. 370.

Church, colonel, his expedition, i. 122.

Clay, general, iii. 278.

Colleges, establishment of, in the colonies, i. 263, 264, 265.

Colonies, American, attempt to invade Canada, i. 170. First convention of the governors of, i. 171. Political state of, i. 242, &c. Religion of, i. 260. Fiscal state of, i. 261. Literature of, i. 262. State of society, i. 276. Military History of, 278, &c. Policy of Great Britain towards, i. 323. Attempt to tax them, by means of a stamp act, i. 334. Opposition to it, i. 338, 339, 340. First convention of delegates, i. 344. Refuse to import British manufactures, i. 346. Stamp act repealed, i. 348. Duties on tea, i. 351. Opposition to them, i. 353, &c. Temper of the colonies, i. 384. Proceedings in consequence of the Boston port act, i. 388. Meeting of the continental congress, i. 409. Proceedings of, i. 412, &c. Bill to restrain the trade of the colonies, i. 436. Situation of, ii. 23. Meeting of the second congress, ii. 34, &c. Continental army organized, ii. 45. British bill declaring war, (in effect) ii. 107. Views of the colonies, ii. 157. Declaration of Independence, ii. 164.

Columbus discovers America, i. 30.

Commerce of the colonies, restrictions on, i. 328, 329. Bill to restrain the, i. 436.

Of the United States, harassed by France and England, iii. 139, 148.

Commissioners of the revenue, assailed, i. 355.

To restore peace with the colonies, ii. 115. 254.

American, to treat with Great Britain, iii. 349.

Community of goods in New England, i. 75.

Conciliatory bills of the British parliament, ii. 251, 252.

Concord, military stores collected at, i. 406. Destroyed, ii. 14.

Confederation, articles of, ii. 181, 182.

Congress, first continental, meets at New York, i. 344. Assembles at Philadelphia, i. 409. Its proceedings, 412, &c. Second congress meets, ii. 34. Organizes an army, ii. 43. Pe-

- titions the king, ii. 40. Declares the colonies independent, ii. 164.
- Of the United States, proposes a treaty with France, ii. 242. Rejects the propositions of the British government, ii. 252. Financial plans of, ii. 307, &c. Military plans, ii. 373. Ratifies the treaty of peace, iii. 443. Inefficiency of, under the first confederation, iii. 40, &c. Recommends the formation of a new constitution, iii. 50. Proceedings of, iii. 130, 149, 158, 160, 251, 339.
- CONNECTICUT, settlement of, i. 146. Constitution of, i. 147. Climate and productions, i. 148. Receives a charter from Charless II. i. 154. Dissensions of, i. 157, &c. Furnishes her quota for the French war, i. 170. Religion of, i. 175. Excellent system of education, i. 178. Sends deputies to a convention at Hartford, iii. 433. Constellation frigate captures the French frigate *L'Insurgente*, iii. 100. Engages the *Vengeance*, iii. 100. Constitution of the United States, proposed, iii. 50. Formed, iii. 50. Ratified, iii. 54.
- American frigate escapes from a British squadron, iii. 241. Captures the British frigate *Guerriere*, iii. 242, the *Java*, iii. 248, the *Cyane* and *Levant*, iii. 389.
- Cornwallis, lord, takes command of the southern army, ii. 341. Defeats general Gates at Camden, ii. 348. His severe policy, ii. 352. Obtains a victory at Guilford, ii. 427. Marches into Virginia, ii. 421. Is invested at Yorktown, ii. 452. Surrenders his army, ii. 454.
- Cowpens, battle of, ii. 417.
- Craven, governor, i. 292.
- Creek Indians, their policy, iii. 351. Defeated by the Americans, iii. 362.
- Croghan, colonel, defends Sandusky, iii. 316. Is repulsed at Mackinaw, iii. 381.
- Cromwell favours the New England colonies, i. 62.
- Cranfield, lieutenant-governor of New Hampshire, i. 98. Assumes legislative power, i. 101. His illegal proceedings, i. 104, &c.
- Crown Point, expeditions against, i. 310, 314, 315. Surprised by the Americans, ii. 54.
- Cockburn, admiral, his exploits, iii. 297.
- Coffee, general, iii. 354, 422.
- Clay, Henry, elected speaker, iii. 339. appointed minister to Gottenburg, iii. 349.
- D
- Dearborn, general, iii. 228, 236, 282.
- Decatur, commodore, iii. 122, 245, 390.
- DELAWARE, first settled, i. 235. Reduced by the Dutch, i. 236. Conveyed to William Penn, i. 237. Separated from Pennsylvania, i. 237.
- D'Estaing, count, arrives in the Delaware, ii. 263. Sails for the West Indies, ii. 301.
- De Vaudreuil, governor of Canada, i. 134.
- Derne, capture of, iii. 127.
- Detroit, surrendered to a British army, iii. 210.
- Dorchester heights, taken possession of by general Washington, ii. 101.
- Drummond, general, iii. 373.
- Dudley, Joseph, appointed president of New England, i. 108. Governor of New Hampshire, i. 121.
- Dunmore, lord, governor of Virginia, dissolves the assembly, i. 394. Indiscretion of, ii. 84, 86, 88. Retires to his ships, ii. 90.
- E
- Eaton, general, marches against Tripoli, iii. 126. Captures Derne, iii. 127.
- Edward, fort, captured by general Burgoyne, ii. 216.
- Elliott, captain, iii. 321.
- Embargo, general, passed, iii. 113.
- Endicott, John, settles Salem, i. 79.
- Enterprise, American schooner, captures a Tripolitan corsair, iii. 119. Vanquishes the British brig *Boxer*, iii.
- Erie, lake, capture of the British fleet on, iii. 320.
- Fort, capture of, iii. 370.
- Erskine, Mr. British minister, his arrangement, iii. 141. Disavowed, iii. 142.
- Essex, American frigate, captures the British ship *Alert*, iii. 241. Cruise and capture of, iii. 384.
- Eutaw Springs, battle of, ii. 436.
- Excise laws, rebellion against, iii. 74. Suppressed, iii. 78.

F

- Famine, great, in Plymouth, i. 77.
 Fayette, marquis de La, joins the American army, ii. 193. Defends Virginia, ii. 440.
 Finances of the United States, ii. 307, iii. 66, 192, 340, 436.
 Fishery, bill to prohibit the, passed in England, i. 437. Its effects on America, ii. 10.
 Flatbush, battle of, ii. 126.
 Foreign affairs during the revolution, ii. 388.
 Relations of the United States, iii. 92, 139, 148.
 Fort, William Henry, i. 312.—Frontenac, 314.—Duquesne, 315.—Washington, ii. 135.—Mifflin, 199.—Edward, 216.—Schuyler, 220.—Defiance, iii. 218.—George, 286.—Stephenson, 315.—Meigs, 277.—Erie, 377.
 Franklin, Dr. Benjamin, agent for the province of Massachusetts, i. 367, 443. Appointed on a mission to Canada, ii. 73. To meet lord Howe, ii. 129.
 French hostilities, i. 164, 170, 290, 293, 299, 300, 308.
 Treaty of alliance with the United States, ii. 248.
 Navy co-operates with America, ii. 269, 271, 301, 444.
 Army arrives in the United States, ii. 375. Assists in the capture of lord Cornwallis, ii. 451.
 Relations with the United States, iii. 92, 148.
 Frenchtown, massacre at, iii. 270.
 Conflagration of, iii. 299.
 Frolic, brig, captured by the Wasp, iii. 246.
 Frontenac, count de, governor of Canada, his expeditions, i. 116, 122.
 Funding system of the United States, iii. 67, 68.

G

- Gansevoort, colonel, defends fort Schuyler, i. 220.
 Gage, general, governor of Massachusetts, i. 398. His proceedings, 400, &c. Blockaded in Boston, ii. 37, 95.
 Gates, general, appointed to the command of the northern army, ii. 225.

- Compels Burgoyne to surrender, ii. 234. Takes the command of the southern army, ii. 346. Defeated at Camden, ii. 349. Superseded by congress, ii. 362.
 George, fort, captured, iii. 286.
 GEORGIA, settlement of, i. 192, 194. Joins the other provinces, in opposition to Great Britain, i. 197.
 Georgetown pillaged, iii. 300.
 Germantown, battle of, ii. 197.
 Ghent, commissioners meet at, iii. 428.
 Treaty of, iii. 442. App.
 Greene, general Nathaniel, commands a division at the battle of Germantown, ii. 198. Is engaged at the battle of Monmouth, ii. 266. Appointed to command the southern army, ii. 413. State of his army, 414. Is defeated at Guilford, ii. 425. Defeats the enemy at Eutaw Springs ii. 436. His success, ii. 438.
 Guerriere, British frigate, captured by the Constitution, iii. 242.
 Guilford, battle of, ii. 425.

H

- Hampton, town of, captured, iii. 303.
 Excesses of the British soldiery, iii. 304.
 Hampton, general, appointed to command the northern army, iii. 329. Advances towards Canada, iii. 335. Failure of his expedition, iii. 336. Resigns, iii. 336.
 Harmer, general, defeated by the Indians, iii. 81.
 Harrison, general, defeats the Indians at Tippecanoe, iii. 186. Appointed to command the militia of Kentucky, iii. 214. His operations on the north-western frontier, iii. 216, 263, 315. Captures a British force at the river Thames, iii. 324. Advances to Buffalo, iii. 328. Resigns his commission, iii. 328.
 Havre de Grace, conflagration of, iii. 300.
 Henry, John, his machinations, iii. 173.
 Herkimer, general, defeated and killed, ii. 220.
 Hessian troops captured at Trenton, ii. 145.
 Hillsborough, lord, letter to the governor of Virginia, i. 363.
 Hilton, colonel, his activity against the Indians, i. 123. Killed, 123, 124.

Hornet, American ship, captures the Peacock, iii. 307, the Penguin, 394.
 Howe, lord, killed near Ticonderoga, i. 314.

General, evacuates Boston, ii. 102. Arrives off Sandy Hook, 115. Takes possession of New York, 133. His operations in Jersey, 136, &c. 187, &c. Ascends the Chesapeake, 190. Defeats general Washington at the Brandywine, 192. Enters Philadelphia, 195. Evacuates Philadelphia, 264.

Admiral, opens a negotiation with congress, ii. 119, 120, 129. Fortunate escape of his fleet, ii. 269. Engages the French fleet, 271.

Hull, general, appointed to command the north-western army, iii. 202. Advances into Canada, iii. 203. His disgraceful surrender, iii. 210.

Captain, captures the British frigate Guerriere, iii. 242.

Hutchinson, Thomas, governor of Massachusetts, account of, i. 268, in note. His proceedings, i. 357, 366.

Hopkins, general, his expeditions, iii. 223, 224.

Hartford, convention at, iii. 433.

Henry, Patrick, proposes resolutions in opposition to the stamp act, i. 338.

I & J

Impressment, British practice of, iii. 107, 161, 257, 429.

Independence, sentiments of the Americans on, ii. 157. Declaration of, 163, 164.

Indian hostilities with the provinces, i. 113, 122, 128, 136, 279, 288, 290, 296, 308, 319.

With the United States, iii. 80, 82, 87, 185, 186, 200, 212, 324, 350.

Insurrection in Pennsylvania, iii. 74, 78.

Izard, general, iii. 380.

Jackson, general, commands an army against the Creeks, iii. 353. His victories, 354, 358, 361. Takes command at Mobile, 416. Takes possession of Pensacola, 418. Proceeds to New Orleans. Defeats the British army, 424.

Ramsay. VOL. III.

Jackson, Mr. British minister, succeeds Mr. Erskine, iii. 145. His dismissal, iii. 145.

James I. grants part of North America to Thomas Gates, i. 38. His policy towards Virginia, i. 57.

James II. attempts the consolidation of the colonies under an arbitrary government, i. 89.

Java, British frigate, captured by the Constitution, iii. 248.

Jay, John, sent envoy to Great Britain, iii. 108. Concludes a treaty, iii. 108.

Jefferson, Thomas, elected president of the United States, iii. 130.

Jones, captain, captures the British brig Frolic, iii. 246.

Johnson, colonel, raises a regiment of mounted men, iii. 318. Defeats a body of British infantry, iii. 325.

K

Kentucky, settlement of, iii. 30. Separated from Virginia, iii. 31. Exertions in support of the war, iii. 212, 318.

King's Mountain, battle of, ii. 359.

L

La Cole Mill, affair at, iii. 367.

Laurens, colonel, ii. 454.

Lawrence, captain James, captures the British brig Peacock, iii. 306. Is killed in the frigate Chesapeake, iii. 308.

Lawrence, major, defends fort Bowyer, iii. 417.

Lee, general Charles, takes command in Carolina, ii. 113. Arrives at New York, ii. 133. Disobeys orders at the battle of Monmouth, ii. 265. His trial and sentence, ii. 267.

Leisler, Jacob, assumes the supreme authority in New York, i. 203. Is condemned and executed, i. 206.

Lewistown, bombardment of, iii. 298.

Lexington, battle of, ii. 14.

Lincoln, general, appointed to command the southern army, ii. 294. Is defeated at Savannah, ii. 303. Surrenders Charleston, ii. 337.

Literature, colonial, i. 262, 276.

Little Belt, affair of the, iii. 145.

Loan office established in the colonies, i. 247.

Long Island occupied by general Washington, ii. 127. Evacuated, 128.
 Louisburg, reduction of, i. 299. Attempt against, i. 312.
 Louisiana purchased by the United States, iii. 102. Invasion of by the British, iii. 420. Defeated, iii. 424.
 Lovewell, captain John, his expeditions against the Indians, i. 131.

M

Macomb, general, defeats the British army at Plattsburg, iii. 412.
 M'Donough, commodore, captures a British squadron on lake Champlain, iii. 414.
 Macdonald, Mr. appointed a general of the Highland emigrants, ii. 93. Defeated, and taken prisoner, 94.
 Marion, general, a distinguished partisan officer, ii. 356, 428.
 MARYLAND settled, i. 142. Prosperity of, i. 144. Joins the other provinces, i. 146.
 Mason, captain John, obtains a grant of territory in New Hampshire, i. 95, 96. his proceedings in support of it, 98, &c.
 MASSACHUSETTS settled, i. 74. Conduct of the Puritans, 81. Hostilities with the Indians, 84. Charter invaded by the Stuarts, 88. Opposes the stamp act, 344. A convention of deputies meets, 356. Riot in, 366, 373. Their proceedings approved by congress, 405. Organizes an army, ii. 37. Construction of the constitution by, iii. 254. Sends deputies to the Hartford convention, 433.
 Meigs, colonel, his enterprise against the British, ii. 186.
 Fort, defended, iii. 277.
 Michilimackinaw taken, iii. 204. Enterprise against, iii. 381.
 Mifflin, fort, assailed, ii. 200. Evacuated, ii. 201.
 Thomas, governor of Pennsylvania, iii. 78.
 Military stores, importation of, prohibited, i. 407.
 Militia, spirit of, in the colonies, ii. 17, 18. Suppress an insurrection in Pennsylvania, iii. 76. Difficulties on the subject of, in New England, iii. 253.
 Mimms, fort, massacre at, iii. 353.

Mint of the United States established, iii. 38.
 Monmouth, battle of, ii. 265.
 Montcalm, general, takes Oswego, i. 311. Killed at Quebec, i. 316.
 Montgomery, general, takes command of the American troops in Canada, ii. 58. Advances towards Quebec, ii. 60. His judicious measures, ii. 66. Assaults Quebec, ii. 69. Is killed, *ib.*
 Moravian towns, battle at, iii. 324.
 Morgan, general, defeats Tarleton, at the Cowpens, ii. 417.
 Morris, Lewis, governor of New Jersey, i. 217.
 Moultrie, general, ii. 298.
 Madison, James, elected president, iii. 140. Recommends a declaration of war, iii. 161. Re-elected, iii. 262.
 Monroe, James, secretary of state, iii. 146. Secretary of war, iii. 438.

N

Naturalized citizens, proceedings in relation to, iii. 342.
 Naval engagements:—On lake Champlain, ii. 81.—Of admiral D'Estaign and lord Howe, ii. 271.—The Randolph and Yarmouth, ii. 281.—The Constellation and L'Insurgente, iii. 100.—The Enterprise and a Tripolitan, 119.—Off Tripoli, 123.—The President and Little Belt, 145.—The President and Belvidera, 240.—The Essex and Alert, 241.—The Constitution and Guerriere, 242.—The United States and Macedonian, 245.—The Wasp and Frolic, 246.—The Hornet and Peacock, 307.—The Chesapeake and Shannon, 308.—The Argus and Pelican, 311.—The Enterprise and Boxer, 312.—The British and American fleets on lake Erie, 320.—Of the Essex with two British vessels, 386.—The Peacock and Epervier, 387.—The Wasp and Reindeer, 387.—The Wasp and Avon, 388.—The Constitution with the Cyane and Levant, 389.—The President with a British squadron, 391.—The Hornet and Penguin, 392.—The American and British squadrons on lake Champlain, 413.
 Navy of the United States, state of, iii. 196. Increased, iii. 259.

- NEW HAMPSHIRE**, settlement of, i. 95.
 Separated from Massachusetts, 97.
 History of, 98, &c. Alteration in the government of, 108. Engaged in warfare with the Indians, 113, &c. Peace made, 135. Hostilities renewed, 136. Prosperity of, 141. Refuses to accede to the Hartford convention, iii. 433.
New Haven, government of, i. 147. United to Connecticut, 156.
NEW JERSEY, settlement of, i. 209. Discord of, 214, 216. Governors of, 217.
New London destroyed, ii.
New Orleans, battles of, iii. 422, 424.
NEW YORK, settlement of, i. 198. Government of by the Dutch, 199. Reduced by the English, 200. Recovered by the Dutch, 202. Restored to the English, 202. Commotions in, 203, 206.
New York, city of, occupied by general Washington, ii. 116. Entered by the British army, 133. Evacuated, Niagara, expedition against, i. 315. Military operations near the, 281, &c. Battle of, iii. 373, &c.
Nicholls, colonel, reduces New York, 200.
 His proclamation, iii. 416. Repulsed at Mobile, 417.
Ninety-Six, siege of, ii. 434.
Non-importation, agreement of, in the colonies, i. 345, 359.
 Acts, iii. 148, 256. Repealed, 344.
Norfolk burnt by the British, ii. 91.
Norridgwog, expedition to, i. 130.
NORTH CAROLINA, settlement of, i. 185. Granted to lord Clarendon, 186. Insurrection in, 189. Revolutionary proceedings in, ii. 92.
- O**
- Oglethorpe**, James, the founder of Georgia, i. 192. Account of him, 193.
Ohio lands, controversy about, i. 303. Company formed, i. 304.
OHIO, state of, settled, iii. 30. Its active exertions in support of the war, 213, &c.
Ontario, lake, naval operations on, iii. 237, 294, 336.
Orders in council, iii. 139, Appendix. Modified, 170, Appendix.
Oswego taken by the French, i. 311. By the British, iii. 368.
Ogdensburg taken by the British, iii. 282.
- P**
- Paoli** tavern, affair at, ii. 195.
Paper currency, ii. 307.
Parker, Sir Peter, bombards Sullivan's island, ii. 112.
 Is defeated and killed, iii. 405.
Parliament, British, proceedings of, i. 334, 348, 376, 424. ii. 104, 251.
Parties, state of, after the revolution, iii. 6.
 Previous to the war of 1812, 197.
Patuxent ascended by the British squadron, iii. 400.
Peace, treaty of, in 1783, ii. 489, in 1815, iii. 442. Appendix.
Peacock, British brig, captured by the *Hornet*, iii. 306.
 American ship, captures the British brig *Epervier*, 387.
Penn, William, account of, i. 218.
PENNSYLVANIA, settlement of, i. 218, 223. Charter of, 222. First assembly of, 225. System of government, 226. Separation of the lower counties, 229. Disputes in, 231. Prosperity of, 233.
Penobscot, unsuccessful attempt on, ii. 291. Occupied by the British, iii. 396.
Pepperel, Sir William, reduces Louisburg, i. 300, in note.
Pequot Indians, their hostility to the settlers of Massachusetts, i. 84. Are extirpated by the *Puritans*, 85.
Perry, commodore, captures a British squadron, iii. 320.
Philadelphia founded, i. 227. Makes common cause with Boston, 391. Taken by the British, ii. 195. Evacuated, 264.
Philip, an Indian sachem, prosecutes a destructive war against the whites, i. 279. His death, 285.
Philip, fort St. attack on, iii. 426.
Phipps, Sir William, first royal governor of Massachusetts, i. 90.
Pickens, colonel, receives the present of a sword from congress, ii. 418.
Pike, general, killed at York, iii. 283.
Plattsburg, battle of, iii. 413.
Plymouth settled, i. 74. Annexed to Massachusetts, i. 91.

Pocahontas, an Indian princess, saves the life of captain Smith, i. 45.
 Port Royal, reduction of, i. 297.
 Porter, commodore, captures the British ship *Alert*, iii. 241. His cruise in the Pacific Ocean, 384. Captured by two British vessels, 386.
 Powhatan, an Indian king, i. 45.
 Preble, commodore, commands an American squadron in the Mediterranean, iii. 121. Bombards Tripoli, 123, 124.
 President, frigate, her cruises, iii. 240, 244, 312, 383. Captured by a British squadron, iii. 390.
 Princeton, battle of, ii. 147.
 Privateers, American, their success, ii. 206. iii. 213.
 Pulaski, count, a Polish nobleman, engaged on the American side at the battle of Brandywine, ii. 194.
 Puritans, oppressed in England, i. 72. Migrate to America, 74. Their intolerance, 82. Exterminate the Indians, 85. Their belief in witchcraft, 90.
 Putnam, general, defends Reading, ii. 288.
 Proctor, general, attacks fort Meigs, iii. 277. Is defeated by general Harrison, 324.
 Prevost, Sir George, defeated at Plattsburg, iii. 413.

Q

Quebec, attempted in 1692, i. 296. Taken by general Wolfe, 316. Attempted by the provincial troops, ii. 69.
 Queenstown, battle of, iii. 230.

R

Raisin, river, battle at, iii. 269.
 Raleigh, Sir Walter, acquires a grant to Virginia, i. 38.
 Rallè, Sebastian, a French Jesuit, instigates the Indians to attack the English, i. 128.
 Red Bank, affair of, ii. 200.
 Regulators defeated by governor Tryon, i. 189.
 RHODE ISLAND, settlement of, i. 182.
 Ripley, general, commands a brigade, iii. 370. Is engaged at the battle of Niagara, 374. Takes command of the American army, 377.
 Rodgers, major, destroys St. Francis, ii. 129.

Rodgers, Commodore, his encounter with the *Little Belt*, iii. 145. His cruises, iii. 240, 244, 312, 383.
 Russell, Mr. minister to England, iii. 252.

S

Sackett's Harbour attacked by the British, iii. 291.
 Salem, settlement of, i. 90.
 Sandy Creek, affair at, iii. 369.
 Saratoga, battle at, ii. 229. Convention of, ii. 234.
 Savannah settled, i. 194. Siege of, ii. 303.
 St. Clair, general, abandons Ticonderoga, ii. 212. Defeated by the Indians, iii. 82.
 St. Leger, colonel, besieges fort Schuyler, ii. 220.
 Schenectady, massacre at, i. 296.
 Scott, colonel, attacks York, iii. 291. General, engaged at Chippewa, 371. At Niagara, 373.
 Shelby, colonel, engaged at King's Mountain, ii. 358. Governor of Kentucky, iii. 216. Engaged at the battle of the Thames, 325.
 Slaves, their introduction, i. 249.
 Slaughter, colonel, governor of New York, i. 205.
 Smith, colonel, defends fort Mifflin, ii. 201. General, commands at Baltimore, iii. 406.
 Smyth, general A. attempts to invade Canada, iii. 233. His failure, iii. 235.
 Somerset Court-House, action at, ii. 153.
 SOUTH CAROLINA, settlement of, i. 190. Indian wars, i. 191. Population of, i. 192. Joins the people of Boston, i. 394. Military operations in, ii. 413.
 Spain declares against England, ii. 292.
 Springfield, affair at, ii. 365.
 Stamp act enacted, i. 335. Opposition to, 338, 344, &c. Repealed, 348.
 Stark, general, defeats colonels Baum and Breyman, ii. 223.
 Stephenson, fort, defence of, ii. 316.
 Sterret, captain, captures a Tripolitan corsair, iii. 119.
 Stillwater, battle of, ii. 227.
 Stoney Point, gallant assault of, ii. 289.
 Stores, military, deficiency of, ii. 99.
 Sullivan, general, ii. 271, &c.
 Sumpter, colonel, ii. 345, 428, &c.

Smith, captain John, the father of Virginia, his adventures, i. 44.
 Stewart, captain, captures two British sloops of war, iii. 389.
 Swedes settle on the Delaware, i. 225.

T

Talladega, battle of, iii. 355.
 Tallapoosa, battle of, iii. 357.
 Tallushatchee, battle of, iii. 354.
 Taxation resisted by the colonies, i. 338, 344, 353, 370, &c.
 Taxes, internal, levied, iii. 340.
 Tea, duties on, laid, i. 351. Opposed, i. 352, &c.
 Ticonderoga abandoned, ii. 212.
 Tippecanoe, battle of, iii. 168.
 Tobacco raised in Virginia, i. 51.
 Treat, governor of Connecticut, i. 162, 166.
 Trenton, battle of, ii. 144.
 Tripoli, war with, iii. 118. Peace made, iii. 128.
 Truxtun, commodore, captures the French frigate *L'Insurgente*, iii. 100.
 Tuscarora Indians plan a murder of the whites, i. 287.
 Tryon, governor, defeats the Regulators, i. 189.
 General, invades Connecticut, ii. 185.
 Tupper, general, his expeditions, iii. 221.

U

United colonies of New England, i. 87, 150.
 UNITED STATES conclude a treaty with France, ii. 248. Reject the British plan of conciliation, 255. Paper money, 309. Distresses of, 372. Constitution of, iii. 40. Domestic relations, 65. Foreign relations, 80, 92, 103, 139, 148. Declare war against England, 170.
 United States, frigate, captures the British frigate *Macedonian*, iii. 245.
 Bank established, iii. 71. New one proposed, iii. 437, &c.
 Utrecht, treaty of, i. 125.
 Vermont, discordant claims to, iii. 33, note. Declared an independent state, 34.
 VIRGINIA, named by Sir Walter Raleigh, i. 38. Settlement of, 39. Man-

ners and customs of the Aborigines, 40. Discontent of the settlers, 47. Oppressive government, 49. Tobacco introduced, 51. Prosperity of the colony, 54. Oppressed by Charles I. 58, &c. Rebellion, 66. Opposes the stamp act, 338. Revolutionary proceedings in, 358. ii. 84, &c. Military operations in, ii. 440, &c.

W

War between France and England, i. 295, 297, 304.
 Declared against England, iii. 170.
 With Tripoli, iii. 118.
 WASHINGTON, his birth and early life, ii. 44. Deputed to the Ohio, i. 305. Appointed a colonel, 306. Covers the retreat of Braddock's army, 308. Appointed commander in chief of the American army, ii. 43. Proceeds to Cambridge, 47. Disorganized state of his army, 97. Enters Boston, 103. Defends New York, 117. Retreats through Jersey, 137. His difficulties, 139. Invested with extraordinary powers, 140. Captures a body of the enemy at Trenton, 145. Surprises the British at Princeton, 148. Defeated at Brandywine, 192. Attacks the enemy at Germantown, 197. At Monmouth, 265. His embarrassing situation, 369. Threatens New York, 448. Moves towards Virginia, 450. Captures Cornwallis's army, 454. Resigns his commission, iii. 25. Retires to his farm, 27. Appointed president of a convention, 50. Elected president of the United States, 55. Quells an insurrection in Pennsylvania, 77.
 Washington, city of, entered by the British army, iii. 402. Conflagration, 404.
 Wasp, sloop of war, captures the British brig *Frolic*, iii. 246, the *Reindeer*, 387, the *Avon*, 388.
 Watson, fort, captured, ii. 430.
 Wayne, general, engaged at the battle of Germantown, ii. 197. At the battle of Monmouth, 266. Captures Stoney Point, 289. Appointed commander in chief of the army against the Indians, iii. 86. Defeats the Indians, 87. Concludes a treaty, 88.
 Waxhaws, affair at, ii. 340.
 White Plains, affair at, ii. 134.

Wilkinson, general, takes command of the northern army, iii. 329. Descends the St. Lawrence, 330. Failure of his expedition, 334. Crosses into Canada, 367. Retires, 367. Tried and acquitted, 367.

Williams, Roger, founder of Rhode Island, i. 182.

Williamsburg, battle of, iii. 332.

Winchester, general, advances toward Detroit, iii. 266. Is defeated at Raisin, 269.

Winthrop, John, the father of Massachusetts, i. 79, 152.

Witchcraft, trials for, in New England, i. 90.

Wolfe, general, his victory and death, i. 516.

Wooster, general, killed, ii. 186.

Wyoming, massacre at, ii. 323.

Winder, general, taken prisoner at Stoney Creek, iii. 288. Defeated at Bladensburg, iii. 401.

Y

Yamasee Indians, their devastations, i. 291.

York, (Canada) capture of, iii. 283.

Yorktown invested, ii. 452. Surrendered, ii. 454.

Yeo, Sir James. iii. 294.

THE END.



Ramsay, David,

History of the United States from their first settlement as english
colonies in 1607 to the year 1808 ...

Bd.: 3.

Philadelphia 1818

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